FABIUS MAXIMUS AND THE DEPLOYMENT OF RANSOM IN THE SECOND PUNIC WAR

by

SARAH JENNIFER MARK

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Examining Committee:

Leanne Bablitz, Classical, Near Eastern and Religious Studies, UBC

Supervisor

Kat Huemoeller, Classical, Near Eastern and Religious Studies, UBC

Supervisory Committee Member

Abstract

Following its disastrous defeat to Hannibal at Lake Trasimene in 217 BCE, Rome appointed Quintus Fabius Maximus Verrucosus as dictator, with a mandate to do whatever was necessary to protect Rome. The strategy of delay and containment which Fabius created was effective but extremely unpopular, and caused the dictator's political opponents to attack his slow prosecution of the war. As his unpopularity mounted and he faced mutiny from his own army, Fabius badly needed to rescue his reputation. A little-studied episode gave him the opportunity when Hannibal demanded a ransom for his captured Roman prisoners. Fabius negotiated the captives' release, but when the Senate refused to fund the ransom, Fabius sold his estates and paid it personally. In doing so, he gained the personal loyalty of the troops he freed, and set a precedent which would have ramifications for the relationship between soldiers and their generals for generations to come.

Fabius was the first Roman commander to find himself in a position of personal responsibility for a large-scale ransom of Roman prisoners. An adroit politician, he was quick to recognize the potential benefits to his own career. Fabius' military strategy has been well studied, but less attention has been paid to examining his dictatorship in terms of the performative nature of Roman command. Too often viewed as simply an altruistic man and a passive commander, Fabius deserves greater credit for his political acumen and the effectiveness with which he curated his reputation in the midst of crisis. This thesis examines the tensions which arose between the Senate and Fabius, and the means by which the dictator was able to manipulate existing social systems, including patronage and religious duty, to restore his reputation among the army and the people of Rome. It also examines how the close bonds established between Fabius and his ransomed troops forged a pattern of army loyalty to an individual general rather than to the state, a pattern which had dangerous ramifications for the later Republic.

Lay Summary

This thesis examines an incident of ransom during the Second Punic War, in which the dictator Fabius Maximus sold a portion of his own estates to free Roman prisoners of war captured by Hannibal. This action, often lauded as an example of altruism, was in fact a calculated advantage to Fabius, who was facing unpopularity in Rome due to his military strategy. The Roman elite of the mid-Republic were in constant struggle for prestige and position; a high-profile action like a ransom instantly added lustre to a reputation and created obligations among those freed. The close reciprocal bond between generals and their soldiers, seen in the late Republic, has its origins with the decision of Fabius to defy the Senate and instead court the favour of the populace and the army.

Preface

This study is the original, unpublished, and independent work of Sarah Mark. All translations my own, unless otherwise indicated.

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To Adam, Katerina, and Harris, with love.

And to Mr. Taylor, who first taught me Latin and Greek.

Introduction

nulli per Fabium e vobis cecidisse licebat

"Not one of you shall be left behind if Fabius can help it" (Sil. *Pun*. VII.225)

The year 217 BCE began disastrously for Rome. The consul Flaminius was dead on the field at Trasimene, while the other, Gnaeus Servilius, fought the Carthaginian forces in Cisalpine Gaul. Some 15,000 Romans and allies died at Trasimene, with another 10,000 routed and scattered through Etruria.[1] Hannibal was leading his forces through Italy, burning and pillaging. Reeling from its defeat, the Senate appointed a dictator, Quintus Fabius Maximus Verrucosus, whose strategy of confinement and attrition against the Carthaginians earned him the derisive name *Cunctator* ("the Delayer"). This strategy of Fabius, while effective, was extremely unpopular with the army and the Roman people. Under intense pressure from army and state alike, Fabius held off Hannibal and became a model of coolheaded patience and restraint. Much has been written on the success of Fabius' military tactics (indeed, the Fabian strategy had a profound impact on western warfare); much less has been written about how Fabius curated his reputation and his relationships with the Senate, the army, and the people of Rome.

Too often viewed as simply an altruistic man and a passive commander, Fabius deserves greater credit for his political acumen and the effectiveness with which he curated his reputation in the midst of crisis. From the moment of his appointment to the dictatorship, we see Fabius take every opportunity to cement his power and confirm his authority. The Senate was far from universally supportive of the new dictator. Fabius had political enemies among the senators, the tribunes of the plebs, and even among his own officers, who were watching and waiting to attack his conduct. As he held fast to his strategy of delay against Hannibal, Fabius found himself facing an angry populace, a hostile Senate, and an army on the brink of mutiny. Without substantial and decisive action, Fabius ran the very real risk of being forced out of office with his name in ruins.

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[1] Livy cites these figures, and states that in many other authors the number is even higher (Liv. 22.7.1-3).

I begin with the unconventional appointment of Fabius to the dictatorship and the steps he took to project his authority while warding off Hannibal. Rivalries in the Senate and pressure from his own *magister equitum* left him in a risky position, and his delaying strategy led to deep unpopularity in Rome and with the army. Matters reached a crisis point when two incidents threatened to topple the dictator. Hannibal, burning and destroying the lands around Rome, was careful to leave Fabius' lands intact, which to suspicious Romans suggested the possibility of a secret alliance between Fabius and Hannibal. The second incident involved a group of Roman hostages captured after Lake Trasimene. Fabius reached an agreement with Hannibal to exchange prisoners, with the remaining Romans to be ransomed at a set price. He did not, however, seek Senatorial permission first. The Senate, angered and believing that Fabius was overstepping his authority, refused to release any funds to free the prisoners. To raise the money, Fabius sold his ancestral estates – the same lands that Hannibal had cynically left unmolested. This gracious sacrifice added to Fabius' reputation for generosity and service to the State. This thesis examines the tensions which arose between the Senate and Fabius, and the means by which the dictator was able to solve his difficulties by manipulating existing social systems, including patronage and religious duty, to restore his reputation among the army and the people of Rome. The episode of the ransom reveals the underlying tensions between Senatorial factions and the driving ambition which characterized Republican politics and nearly lost Rome the Second Punic War.

Fabius was the first Roman commander to find himself in a position to benefit from negotiating a large-scale ransom of Roman prisoners. Prior to the Second Punic War, there is little mention of state involvement in ransom. Elite hostages were commonly exchanged to secure treaties, and Roman legend is full of noble hostages like Cloelia and Scaevola who demonstrated outstanding courage, but the usual experience of a prisoner of war was to be counted among the plunder and enslaved. If a prisoner of war was redeemed, it was by family members who raised the funds privately. These relatives needed the Senate's permission, but ransom remained essentially a kinship affair. The Second Punic War saw the Senate increasingly concerned with the political context of the ransom of prisoners of war. I argue that when the Senate refused to pay the ransom of the Trasimene prisoners, Fabius deliberately established himself as personally responsible for the hostages in order to gain political advantage. These tactics advanced Fabius' popularity with the Roman people, but the audience to whom he most urgently appealed was the army. In Fabius we see the earliest attested example of a Roman general standing as personal guarantor for his troops and seeking their loyalty over the benefits of the Senate's approval. The ransom episode can be read as a calculated attempt by Fabius to bolster his career and allow him to continue to prosecute the war with Hannibal. Taking a closer look at his decisions allows us to explore the pressures and exigencies under which the Roman commander was operating.

The second part of this thesis examines the benefits and costs to Fabius' decisions. The Senate, swayed by Fabius' political rivals, called the ransom, οὐ πρεπόντως οὐδὲ λυσιτελῶς ("neither fitting nor profitable") (Plut. Fab. 7.4). As commander and dictator, Fabius considered that his authority permitted him to strike a deal with the enemy commander; the Senate, likely swayed by his political opponents, was suspicious of just such dealings. In addition to their suspicions of Fabius, though, another consideration affected the Senate's decision not to ransom the captives. Roman soldiers were expected to conquer or, if overwhelmed by the enemy, to die bravely before submitting to capture. Deeply affected by the disasters at Trebia and Trasimene, the Senate did not want to ransom Roman prisoners of war, a decision which would famously affect the captives of Cannae in the following year. Fabius' decision to pay the ransom anyway placed him in an ambiguous position: his authority as dictator allowed the arrangement in the first place, but the payment was made from his private funds. By paying the ransom out of his private funds, Fabius was able to situate the ransom as an act of individual generosity, despite the fact that he was still very much acting as a public figure. The result of his actions was that Fabius, at a modest cost to his private purse, cemented his public reputation and gained immense loyalty from his soldiers. While politically risky in its defiance of the Senate, his gamble paid off in the acclaim it brought him from the army. Fabius initially expected the State to authorize the payment, but when they failed to do so, he took advantage of familiar networks of power and patronage to ensure that he received personal credit for the ransom. This action allowed him to position himself as a patron figure to the men he freed.

In the third section of this thesis, I examine how we can read the ransom and rescue episodes as part of a system of patronage. Patronage and its network of mutual commitments provides a helpful lens for examining the ransom, together with the related actions Fabius took to safeguard his troops and his reputation. An adroit politician, Fabius was quick to recognize that his career depended on his popularity no less than his military success. Convinced that his strategy of delay was essential, he sought other ways to protect himself from the accusations of his political enemies in the Senate. Fabius' military strategy has been well studied, but less attention has been paid to the other actions he took while dictator, particular the ransom of the Trasimene prisoners, and how he manipulated events to his benefit. Keenly aware that he had a short time frame in which to operate, Fabius, usually viewed as a slow and retiring person, moved extremely quickly when his reputation was threatened. In pursuing the ransom, he sought the army's favour over that of the Senate. The populace of Rome, too, came to admire him greatly for his role in saving his soldiers. By paying their ransom personally, Fabius gained new clientele among those soldiers, and deliberately blurred the lines between the roles of commander and patron.

The last section of this thesis addresses the impact of the ransom on the later career of Fabius, and its long-term effects on the relationship between soldiers and generals. By undertaking to pay the ransom, a concern previously the province of kindred and patrons, Fabius expanded the role of the Roman commander. In examining the accounts of the ransom and how Fabius benefitted from his risky decision, we can see the establishment of a pattern of Roman generalship in which commanders increasingly filled the role of patrons to their soldiers.[2] This new role saw troops increasingly dependent on their generals to support their interests. In return, they supported their generals' political careers to ensure they had the authority to fulfil their promises to the army. This close relationship is usually studied in the context of later generals (Marius and Sulla, for instance, who stood as sole guarantors of their troops' pay and protection), but here in the mid-Republic, we see its origins with Fabius and his need to bolster his reputation. When Fabius gained the personal loyalty of the troops he freed, he set a precedent which would have ramifications for the relationship between soldiers and their generals for generations to come. In the final section of this thesis, I investigate how the close bonds established between Fabius and his ransomed troops forged a pattern of army loyalty to an individual general rather than to the state, a pattern which had dangerous ramifications for the later Republic.

Modern scholarship has largely followed the ancient sources in considering the ransom as a minor testimony to Fabius' generous character. By the time of the ransom, however, Fabius was in a very difficult situation politically and militarily. A man known for his caution, he gambled his reputation on his delaying strategy. Facing a hostile Senate and an army on the brink of mutiny, Fabius needed a popular and public accomplishment. His ransom agreement with Hannibal was a risk which placed him at odds with the Senate but provided a much-needed opportunity for him to salvage his reputation with the army and the Roman people. The hostage situation forms part of a larger picture in which we see Fabius deploying his resources in such a way as to minimize loss of Roman life while advancing his own already illustrious political career. Ancient sources ascribe Fabius' motivation to pure altruism, but his overall pattern of conduct during the war is one of extreme caution and deliberation: his actions show a general with a scrupulous care for his soldiers and an equally keen eye on his political career. An altruist might pay the ransom by private means when public funds failed; a politician intent on advancement might behave in exactly the same way, calculating that the investment would pay handsome dividends later, a possibility which has often been overlooked.

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[2] "Our earliest text for hostage-taking is an inscription from the tomb of the Scipios, dating to around 200 BCE, but the histories of Polybius are the earliest source used extensively, and they date to the mid-second century." (Allen 25)

The Trasimene ransom has not been extensively studied in terms of its impact on Roman politics. As a relatively brief episode, it appears in scholarship primarily as an example of Hannibal's military genius, or as a testimony to Fabius' generous character. There has been very little examination of the ransom in the context of Fabius' career, and none in terms of the precedent it set for new patterns of loyalty between general and soldiers. Hoyos, in his 2015 book *Mastering the West: Rome and Carthage at War*, devotes one brief paragraph to the ransom and the sale of Fabius' estate. He addresses the political pressure facing Fabius at home, but his description of the Senate's refusal to pay the ransom does not consider Fabius' reasons for paying the ransom, nor its impact on his reputation.[3] I follow Hoyos' account of the promotion and failure of Minucius and the unusual nature of his co-imperium with Fabius.[4] Hoyos' accounts of battle are persuasive; in general though, he focuses on the broader conflict between Rome and Carthage, and does not pursue the importance of the ransom to Fabius' later career.

For historical context, I follow Lazenby and Erdkamp's work on warfare and strategy, particularly the latter's analysis of the variations between accounts of the same events in Polybius and Livy.[5] He convincingly shows the pressures under which both Fabius and Hannibal were operating, which provided me with a backdrop for studying the ransom. Fronda's work likewise addresses the Roman military and political culture of the mid-Republic. Bohec addresses the tension between Fabius and the Aemilii and Cornelii, though is generally more concerned with the structure of the Roman army. His work on numbers and deployment of soldiers situates the ransom within the broader military history of the Second Punic War.[6] De Wilde examines structure of the dictatorship in the mid-Republic, and the role of *fides* ("faith") in the political sphere.[7] I apply his work on the financial constraints on dictatorial powers to explore how political pressures led to tensions between Fabius and the Senate. In terms of the scholars working on hostage-taking and ransom patterns in the ancient world, Allen's study of hostages dives into the political significance of hostages and ransoms, but is primarily focused on the Roman Empire, and on the elite hostages sent to Rome as guarantors of treaties, rather than on prisoners of war.[8] Langlands focuses on how stories of captives served as exemplary models for Romans to follow, and I am persuaded by her account of how ethically complex such *exempla* ("examples to be followed") could be.[9]

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[3] Hoyos 2015: 117
[4] Hoyos 2015: 118
[5] Erdkamp 1992: 127-147

In my account of piety and performance in the dictatorship, I have used Clark's work on Roman attitudes to defeat, and her connection of the disaster at Trasimene with Rome's religious responses, coordinated by Fabius.[10] Champion also delves into the expiatory rites that Rome conducted when threatened with divine disfavour, and places them in the context of elite religious practice. I follow her argument that the religious offerings of 217 were a response to deep anxiety in the city,[11] but I am more concerned with how Fabius made use of displays of piety to cement his own reputation. The context presented by these and other scholars is essential, but the Trasimene ransom remains unstudied as a discrete episode with much to tell us about political manoeuvring in the mid-Republic. The scholars working on the political and military history of the Punic Wars have devoted only brief attention to the hostage episode, while those working on hostages and ransom in the ancient world have not looked at the wider implications of the Trasimene ransom on Roman politics. This thesis seeks to build on the existing scholarship by examining the political challenges facing Fabius during his conduct of the war, and the means by which he ultimately turned the ransom to his personal advantage.

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[6] Bohec 183-189.

[7] De Wilde 2012

[8] Allen's representation of the hostage-captor relationship in terms of creditor-collateral imagery was especially valuable, Allen 2006: 38-66.

[9] Langlands 2018: ch. 13

[10] Clark 2014a

[11] Champion 76-121.

Part I: A Precarious Dictatorship

The dictatorship gave one man near-absolute authority over Rome's military affairs for a period of six months. Indeed, the dictator was entrusted with the power to do anything he believed necessary to lead Rome out of the present crisis.[12] Complicating Fabius' tenure, however, was political dissension arising from dissatisfaction with his strategy, and spread by his opponents. The nature of his appointment, too, was unusual. No consul was present to appoint him, which weakened his authority. He was saddled with a sub-commander who was actively working against him. The precarious nature of his position and the limited time frame of the dictatorship meant that Fabius was under great pressure to perform, for the sake of Rome and for his own family name. This section examines how the unconventional way in which he rose to the dictatorship, and the tensions among the Senatorial factions, left Fabius in a precarious position. Fabius showed himself well aware of the power of ceremony and display in forging his self-image. Nonetheless, the antagonism that he faced, even from his own subordinates, shows that Rome's political elite were quick to capitalize on the war in an effort to unseat Fabius. Fabius' response shows a remarkably astute understanding of how to manipulate the situation to his advantage. He reacted with speed and decisiveness, using soft power in innovative ways to strengthen his position.

An Unconventional Appointment

After crushing the Roman forces at Trasimene, Hannibal campaigned in central Italy, devastating the countryside while the Romans scrambled to fill their vacant leadership and mount a defense. One consul was dead, the other fighting behind enemy lines. Rome's response was to appoint a dictator to take command, raise new troops, and decide an overarching strategy. Fabius Maximus, at that point roughly sixty years of age and having previous consular and dictatorial experience, was an understandable choice. His appointment, however, was necessarily unconventional. Normally only the consuls had authority to choose a dictator. Unable to send a message through enemy territory to the surviving consul Servilius, Livy writes that Rome took an unprecedented step.

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[12] *cetera omnia ageret faceretque ut e re publica duceret* ("that he should direct and undertake all other measures that he considered necessary for the sake of the republic") (Liv. 22.11.2).

> Itaque ad remedium iam diu neque desideratum nec adhibitum, dictatorem dicendum, civitas confugit; et quia et consul aberet, a quo uno dici posse videbatur, nec per occupatum armis Punicis Italiam facile erat aut nuntium aut litteras mitti [nec dictatorem populus creare poterat], quod nunquam ante eam diem factum erat, dictatorem populus creavit Q. Fabium Maximum et magistrum equitum M. Minucium Rufum (22.8.5-6)
>
> The state therefore took refuge in a remedy which for a long time had neither been desired nor applied. Since the consul, who alone was able to make the appointment, was away, and it was not easy to send a messenger nor letters to him through Carthaginian-occupied Italy, and since the populace was not able to choose a dictator, they did what had never before been done, and chose Q. Fabius Maximus as dictator, and M. Minucius Rufus as his master of horse.

Whether or not a message could have been sent to Servilius, who was, after all, only as far away as Cisalpine Gaul, it seems the Roman people wanted rapid action. Livy, citing Coelius Antipater, writes, *Coelius etiam eum primum a populo creatum dictatorem scribit* (“For Coelius writes that he was the first dictator appointed by the people”) (22.31.8-10). The unusual nature of Fabius’ appointment speaks to his popularity with the Roman people, or at least to the confidence they placed in his abilities. The involvement of the Senate is not mentioned explicitly; while they confirmed the appointment, the impetus came directly from the people. In Livy’s words, it is the *civitas* (“the state”) which cannot bear delay. The Senate and the People appear united in their need to mount a response to the defeat at Trasimene, but the Senate would have preferred the dictator be legally appointed by the consul. Fabius assumed the dictatorship in an atmosphere of irregularity excused by urgency. According to Livy, Fabius was appointed *pro dictatore* (“acting dictator”) by the populace because the frightened crowds could not bear any further delay,[13] but modern scholars from Broughton to Lazenby disagree with this interpretation of his status. It is more likely that he was appointed with full dictatorial powers, but unusually, he did not choose his own master of horse.[14] This position went instead to Minucius Rufus, a supporter of Fabius' political opponents. Minucius' election was a drawback for the dictator which would later have serious consequences. To mitigate the unorthodox nature of his appointment, Fabius began the exercise of his dictatorial powers in the most devout and traditional way possible.

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[13] *quam moram quia exspectare territa tanta clade civitas non poterat* (“because after the great disaster, the citizens could not bear enduring such a long delay”) (22.31)

Fabius began his tenure decisively. On his first day in office, he immediately called a meeting of the Senate, and stressed the need for religious observances. This was especially important because Fabius made it clear that he believed the late consul Flaminius was defeated more by his neglect of the gods than of any poor generalship.[15] The encounter between Hannibal and Flaminius at Lake Trasimene would be counted among Rome's worst military defeats. For Ovid, writing his *Fasti*, Trasimene was proof that the gods could speak through signs. He assigns the blame to the unfortunate Flaminius, by Ovid's age a byword for impiety, and calls the date of the battle an ill-fated time, *temeraria damni* ("of reckless loss") (*Fas*. VI. 767) "a reckless defeat." Book 22 of *Ab Urbe Condita* opens in 217 BCE with ill omens and portents in Rome as Hannibal leads his forces from their winter quarters to Arretium, only 218 kilometres from Rome. Livy tells us that, among other signs, reports reached Rome of shields sweating blood, of javelins bursting into flames, and water and wheat stained with blood.[16] Italian land and water running with blood requires little extrapolation. Perhaps most ominously, the collected oracular verses have thinned, and one of them falls out of its own volition, on which are written the words, *Mavors telum suum concutit* ("Mars shakes his spear") (22.1.11). As Rome panicked, Fabius immediately responded to these signs with a massive program of public rites.[17] The seriousness of the times is evident in the scale of the sacrifices called for: the Sibylline Books were consulted (in itself a rare event) and offerings made to Mars, Jupiter, Venus Erycina, and Mens. A *lectisternium*, ("a strewing of couches") was held, along with other religious observances, including public prayer and the offering of a Sacred Spring (a massive investment in divine favour, in which every animal born in the next spring is offered to the gods). As dictator, Fabius had the opportunity to use public religious displays to reaffirm the correctness of his behaviour and the link between his office and the favour of the gods. This connection between civic and religious authority was familiar and comforting.[18]

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[14] This thesis refers to Fabius as dictator, rather than acting dictator. The distinction is the subject of some disagreement among the ancient authors. Livy notes that most annalists of his time believed Fabius to have been in the position of full dictator, rather than acting, and that to Coelius Antipater, Fabius was the first dictator to be appointed by the people (22.31.9). Despite referring to Fabius as full dictator elsewhere, Livy reasons here that Fabius must have been only *pro dictatore* (acting dictator), due to the lack of consular presence in Rome, since only the consul had the right by law to appoint a dictator, *sed et Coelium et ceteros fugit uni consuli Cn. Servilio, qui tum procul in Gallia provincia aberat, ius fuisse dicendi dictatoris* ("But it escapes Coelius and the others that one consul, Gnaeus Servilius, who was away serving in the province of Gaul, had the right to designate a dictator") (22.31.9). Panic among the people forced the appointment of an acting dictator, Livy reasons, and general belief to the contrary was due to Fabius' military success and reputation, and interestingly, to evidence of the *Fasti Capitolini* and the inscriptions added to his *imago* by his descendants (Lazenby 67n.28). Other authors disagree. Plutarch simply states, ἀποδειχθεὶς δικτάτωρ Φάβιος ("Fabius was apponted dictator") (Plut. Fab. 4.1). Modern scholarship, following Broughton, is of the opinion that Fabius was a full dictator *rei gerendae causa* ("for the undertaking of the affairs") not *interregni causa* ("due to the absence of leaders"), and that Livy's interpretation of the *pro dictatore* appointment is unlikely (*MRR* 246n2). Lazenby goes into the question of Fabius' appointment in detail, and reasons that the evidence of the inscriptions proves that Livy is incorrect, and Fabius was in fact a full dictator (Lazenby 67). He acknowledges that the appointment cannot have been completely conventional however, as Fabius was not allowed to choose his own *magister equitum*, but rather had to accept the election of Minucius. Even if we discount Livy's assessment of a pro-dictatorship, it appears from the role of Minucius that, from beginning of his appointment, Fabius is in a position of irregularity.

[15] *Q. Fabius Maximus dictator iterum quo die magistratum iniit vocato senatu, ab dis orsus, cum edocuisset patres plus neglegentia caerimoniarum quam temeritate atque inscitia peccatum a C. Flaminio consule esse.*

("Fabius Maximus was again dictator; on the same day when he took office, he called a meeting of the Senate. Opening with a discussion of the gods, he informed the senators that the error of the consul C. Flaminius had been more in neglecting religious obligations than in any mischance or inexperience.") (Liv. 22.9.7)

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[16] Levene examines how the use of omens works in parallel with Livy's narrative organization to indicate the destabilizing of the Roman calendar, and hence public life, during these events. Levene points out that the structure of Book 22 does not fit the usual pattern of neatly beginning and ending with consular elections; instead, there is delay, followed by the unusual appointment of Fabius, an interregnum, and the postponement of the new elections to the next year; the chronology itself has become "a dynamic tool for the representation of political issues" (Levene 2010: 45). The omens and portents are a clear foreshadowing of the defeats at Trasimene and Cannae, but they are also inherently destabilizing, and function in tandem with the political upheavals and military defeats. Placing the blame for Trasimene on the impiety of Flaminius, Livy creates a counterweight in the pious and observant Fabius.

[17] Part III of this thesis discusses the religious duties of the dictator in greater depth.

[18] Dan-el Padilla Peralta draws attention to the importance of religious symbolism surrounding state decisions and the ways in which the Senate made use of piety, to the point of conducting their assemblies in prominent temples, "for nonelite Romans, meanwhile, the sight of senators entering and exiting temples to deliberate matters of state

The dictator was expected to take the Senate's advice on religious rites, as with political decisions. When he assumed the dictatorship, Fabius requested that the Senate authorize the consultation of the Sibylline Books.

> Le pouvoir décisionnel en matière de religion appartient toujour au sénat, à qui doivent s'adresser les magistrats, même lorsqu'il s'agit de faire appel à un prêtre: après le désastre de Trasimène, Fabius Maximus demande ainsi au sénat de charger les décemvirs de consulter les Livres Sibyllins. Le sénat seul est à l'origine des cérémonies rituelles qu'exigent des circonstances exceptionnelles. (Lacam 100)
>
> Decision-making concerning matters of religion belonged, as always, to the Senate. It was to them that magistrates had to turn, even when it was a matter of appealing to a priest. After the disaster of Trasimene, Fabius Maximus thus asked the Senate to call for the decemvirs to consult the Sibylline Books. The Senate alone is the starting point of the ritual ceremonies needed in exceptional circumstances.

Fabius proclaimed that the troubles facing Rome were a direct result of the impious actions of Flaminius, a role which ancient authors were quick to assign to the unfortunate consul.[19] Impiety could bring tangible repercussions against not only the offending general, but the entire army and state. Tense and angry, Rome turned to the dictator to restore its favour with the gods no less than to redeem its military situation. While these religious duties were taken care of by the praetor, Fabius opened a debate in the Senate on the Roman forces needed to oppose Hannibal. The Senate gave Fabius control of the consular armies, and the right to raise as many additional troops as he deemed necessary. At this point, the Senate and Fabius were acting in accord.

Having distinguished himself from the late Flaminius by his propitiation of the gods, Fabius' next concern was to display his new military authority. He met the surviving consul Servilius to take control of

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importance in the company of the gods will have offered reassurance that the senators were guided by a higher power, thereby locking in the trust necessary to maintain social harmony in times of crisis" (Padilla Peralta 98).

[19] Rich notes that Polybius does not mention religious transgression by the consul, but "the stories of unfavourable signs being disregarded before the battle go back at least to the later second century historian Coelius Antipater and may well have originated at the time of the defeat" (Rich 2012: 97). By Cicero's time, Flaminius was a byword for negligence toward the gods: *Quid? bello Punico secondo nonne C. Flaminius consul iterum neglexit signa rerum futurarum magna cum clade rei publicae?* ("Did the consul Caius Flaminius not bring great disaster upon the State by neglecting the omens?") (Cic. *Div*. 1.77)

the consular army. Both Livy and Plutarch describe how Fabius sent a messenger to remind Servilius that the consul must dismiss his lictors when he meets the dictator. Livy frames this episode as Fabius reminding the Romans of the lustre of the dictator's position, adding that such a display had not been seen for many years. Plutarch adds that Fabius was insistent on his honours, and deliberately used display and ceremony to influence the populace:

> οὐ μὴν ἀλλὰ καὶ αὐτὸς ὁ Φάβιος εὐθὺς ἐνδείξασθαι θέλων τῆς ἀρχῆς τὸ μέγεθος καὶ τὸν ὄγκον, ὡς μᾶλλον ὑπηκόοις χρῷτο καὶ πειθηνίοις τοῖς πολίταις (Plut. *Fab*. 4.2)
>
> Fabius himself, however, wished to straightaway demonstrate the greatness and scope of his rule, so that the people would be more obedient and inclined to heed him.

Fabius further insisted that the consul Servilius meet him as a private person, emphasizing that all ranks (save the tribunes) were temporarily suspended for the duration of his dictatorship. This display, together with the religious observances, are the first evidence we see of Fabius flexing his power and beginning the curation of his reputation. While strengthening morale in Rome was a top priority, the dictator took every opportunity to make his authority clear to the people and to his rivals in the Senate.

Plutarch writes that immediately upon his appointment, Fabius asked the Senate for the right to use his horse while on campaign, a right which was not normally permitted according to ancient custom. (Plut. *Fab*. 4.1). Plutarch's explanation for this custom is either that the general ought to be with his infantry, on whom Rome's strength depended, or else that a dictator given special privileges might become too close to a tyrant. Instead, τὸν δικτάτορα τοῦ δήμου φαίνεσθαι δεόμενον ("the dictator should be willing to appear dependent on the people") (Plut. *Fab*. 4.1). The descendant of a famous house, a former consul and dictator, Fabius was well aware of the ramifications of his behaviour. Appointed to curtail the instability in Rome, as well as to solve the military crisis, it was to Fabius' advantage to insist on all the rank and privilege to which the dictatorship entitled him. By surrounding himself with the displays of high office, he asserted his new authority. These displays in turn may have been reassuring to the people but likely won him no favours with his political opponents back in Rome.

Strong though the Fabian faction was, they had political opponents who resented his appointment, chiefly among the powerful Aemilii and Cornelii, who were looking for any weaknesses in the dictator which they could exploit to their advantage.[20]

The Promotion of Minucius

Fabius experienced his first serious political setback when he was assigned Marcus Minucius Rufus to be his *magister equitum*, his Master of Horse. This role was normally selected by the dictator himself,[21] but Minucius was appointed by the people.[22] Minucius, who had previously served as consul in 221, was supported by the Aemilii, and his appointment undermined Fabius' authority from the start. A clash arose between the two men almost immediately, as Fabius pursued his strategy of delay and refused to engage Hannibal in open warfare. Minucius, whom Livy describes as *ferox rapidusque consiliis ac lingua immodicus* (insolent and impetuous in his judgement, and unrestrained in his speech) (Liv. 22.8.12), took every opportunity to attack his commander's strategy and denigrate him among the officers and in front of the restless troops.[23] As Hannibal burned and pillaged Italy and Fabius continued to avoid battle, the situation became increasingly tense. Minucius was popular with the troops, τὸν δὲ Μινούκιον μέγαν ἄνδρα καὶ τῆς Ῥώμης ἄξιον ἡγοῦντο ("[the troops] believed Minucius to be a great man and worthy of Rome") (Plut. Fab. 5.4). Fabius was in danger of losing control of the army. Livy writes that the troops were almost on the point of mutiny, whipped up by Minucius, while in Rome the Senate and people were both becoming increasingly impatient with Fabius.

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[20] For further discussion of relations between the Aemilii and Fabii see Lazenby 1978 and Caven 1980.

[21] Sherwin-White and Lintott 910. Plutarch does in fact claim that Fabius chose Minucius himself (Plut. Fab. 4.1) but acknowledges his insubordination and political machinations. Polybius calls Minucius the συνάρχοντος ("co-ruler") of Fabius, implying that the two men shared power (Polyb. 3.88.7)

[22] "*dictatorem populus creavit Q. Fabium Maximum et magistrum equitum M. Minucium Rufum*" ("the people made Q. Fabius Maximus dictator, and M. Minucius Rufus his master of horse") (Liv. 22.8.6)

[23] οὐ μὴν Μάρκῳ γε τῷ συνάρχοντι τούτων οὐδὲν ἤρεσκεν. σύμψηφον δὲ τοῖς ὄχλοις ποιῶν αὑτὸν τὸν μὲν Φάβιον κατελάλει πρὸς πάντας, ὡς ἀγεννῶς χρώμενον τοῖς πράγμασιν καὶ νωθρῶς, αὐτὸς δὲ πρόθυμος ἦν παραβάλλεσθαι καὶ διακινδυνεύειν. ("But his colleague Marcus was not at all pleased by this and, siding with the crowd, disparaged Fabius in front of everyone all for being sluggish and ignoble in his conduct, while he himself was eager to take a risk and advance against the enemy") (Polyb. 3.90.6)

Roman troops clearly hated seeing Italy burn, but there was a political dimension to Minucius' attacks. To Livy, Minucius' hostility is less motivated by patriotism than by a desire to elevate himself by bringing Fabius into disrepute (22.12). Plutarch likewise attributes the trouble facing Fabius in Rome to the machinations of Minucius and his kinsman, a tribune named Metilius, and attributes their motives to long-standing political rivalry. He notes that back in Rome, Minucius' allies were busy denouncing Fabius in order to bring their own faction into greater prominence.

> ταῦτα προσδιέβαλε τὸν Φάβιον εἰς Ῥώμην ἀγγελθέντα: καὶ πολλὰ μὲν αὐτοῦ πρὸς τὸν ὄχλον οἱ δήμαρχοι κατεβόων, ἐπάγοντος μάλιστα Μετιλίου καὶ παροξύνοντος, οὐ κατὰ τὴν πρὸς Φάβιον ἔχθραν, ἀλλ᾽ οἰκεῖος ὢν Μινουκίου τοῦ ἱππάρχου τιμὴν ᾤετο καὶ δόξαν ἐκείνῳ φέρειν τὰς τούτου διαβολάς (Plut. Vit. Fab. 7.3)
>
> When this was announced in Rome, it brought more insinuations against Fabius. The tribunes of the people also frequently condemned him, which was very much brought on by Metilius not because he hated Fabius, but because he was related to Minucius, the Master of Horse, and predicted that bringing slander against the former would bring meant honour and glory for the latter.

Livy stresses the building tension in the city and also mentions Metilius, a supporter of Minucius who publicly and repeatedly denounces Fabius (22.25).[24] Matters came to a head when Fabius was recalled to Rome for religious rites, and Minucius was left in sole command. Despite Fabius reminding his *magister equitum* of his imperium, and advising Minucius to follow Fabius' strategy, Minucius took advantage of the dictator's absence to engage Hannibal. Upon narrowly winning a clash, he immediately sent word to Rome that he had won a decisive victory.[25] The Senate was delighted at these signs of progress being made against the Carthaginians at last, and the anti-Fabian faction seized the opportunity to attack Fabius for ineptitude and hesitation. The tribune Metilius made a speech in which he, like Minucius, accused the dictator not only of delaying, but of deliberately prolonging the war in order to remain in sole power (22.24.1-6). Metilius claimed that Fabius was prolonging the conflict solely in order to extend his dictatorship, and furthermore that the dictator “exiled” the surviving consul Servilius, *ab Italia ablegatum* (“sent [him] from Italy”) (22.25.1) to keep him far from Rome. Likewise, he claimed that Minucius was sidelined in order to keep him from winning glory while the rest of his army was held back from engaging with the enemy, *tamquam hostibus captivis arma adempta* (“as though they were enemy captives deprived of their weapons”) (22.25.8-9). Even the praetors, he claims, were sent away, on unnecessary missions to Sicily and Sardinia. Metilius used the language of imprisonment and exile to suggest that Fabius was consolidating his power in order to keep a tight grasp on the dictatorship and to remove any potential rivals to his authority. The result of these attacks in the Senate was increased *invidia* (“envy”) and outright hostility toward the dictator. Fabius struggled to defend his actions in the Senate, and avoided the people’s assemblies altogether, where he was even less popular. At this point, an “astonishing and unprecedented proposal” was carried (Briscoe and Hornblower 231 n.25.10). Minucius, who could claim consular and military experience, was appointed as Fabius’ equal in command and given co-imperium in a rare dilution of dictatorial power.[26]

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[24] Livy records the tribune's name as Metellus (22.25-6) which, as Lazenby points out, is more likely to be a corruption of the less-common name Metilius (Lazenby 72). The confusion may have resulted from the fact that the well-known Caecilii Metelli were prominent supporters of the Scipio faction and therefore opponents of the Fabians.

[25] Livy claims that the victory was narrow indeed: some six thousand Carthaginians died compared to five thousand Romans, but Minucius nevertheless claims *egregia victoria*, an outstanding victory (22.24.14).

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[26] Minucius’ appointment is the subject of divergence between Livy and Polybius. Livy states that Minucius received a grant of equal imperium to Fabius (*aequato imperio*, 22.26.7); Polybius states that he was actually made co-dictator, “αὐτοκράτορα γὰρ κἀκεῖνον κατέστησαν, πεπεισμένοι ταχέως αὐτὸν τέλος ἐπιθήσειν τοῖς πράγμασι: καὶ δὴ δύο δικτάτορες ἐγεγόνεισαν ἐπὶ τὰς αὐτὰς πράξεις, ὃ πρότερον οὐδέποτε συνεβεβήκει παρὰ Ῥωμαίοις,” (“They appointed him as autocrat, persuaded that he would swiftly put an end to these troubles; so there were two dictators created to deal with the same matter, which had never happened before in Rome’s history”) (Polyb. 3.103.4). For more discussion, see Briscoe and Hornblower 231 n.25.10, who note that most scholars follow Livy’s interpretation. Broughton certainly does not name Minucius as co-dictator.

Minucius' promotion was largely due to his kinsman Metilius and the influence of his adherents in Rome. Minucius was supported by the Scipios, the most prominent political rivals to the Fabians.[27] In fact, Minucius' colleague in his previous consulship had been a Cornelius Scipio.[28] These ties of patronage and position were present behind the scenes to influence the outcome of debates in the Senate and the Plebeian Assembly. The election, rather than appointment, of Minucius as Master of Horse, and then his grant of *imperium* equal to Fabius, were as unusual as the appointment of Fabius as dictator in the absence of the consul. Put briefly, the consul should be the one to appoint a dictator, and dictator should be the one to choose his *magister equitum*. As Lazenby puts it, "behind these constitutional oddities we can possibly detect a political wrangle between powerful *nobiles*" (Lazenby 67). During the period after Trasimene, the tribune Metilius vehemently opposed Fabius. Though Metilius stirred up discontent among the populace, there was likewise strong senatorial opposition to Fabius' strategy.[29] The senators were no less desperate than the people to see tangible success against Hannibal, and those who supported the Scipio faction had an additional political motive for wanting to see the dictator's power limited and Fabius forced to adopt new tactics. The constant antagonism of his *magister equitum* put Fabius in a difficult and politically dangerous position. With each fresh report of the destruction Hannibal was causing in Italy, the dictator found his support slipping away. His army was restless and unhappy, the populace frightened, and the Senate suspicious and divided.

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[27] "Fabius' reputation had suffered a serious setback, and the murmuring of his army, led by his master of horse, who expressed the sentiments of the Aemilian party and the radicals in the Assembly, were not unjustified…at the level of party political it was desirable to discredit Fabius and his policy by demonstrating that Hannibal could be fought." (Caven 1980: 129)

[28] Lazenby 67

[29] "Flaminius and Minucius were both associated with popular and anti-senatorial politics. . . and their aggressiveness is repeatedly linked to the popular support that such a strategy commanded" (Levene 188). The populist aspect of Fabius' opponents is certainly presented in Livy and Plutarch, but it should be recognized that mapping the main actors in Rome into a *populares/optimates* division would be anachronistic and an oversimplification.

Facing hostility on all sides, and operating within the limited time frame of the dictatorship, Fabius responded by holding firm, politically and militarily. He had begun his tenure by cementing his authority with displays of power; now he found the limits of that authority tested by a fractious Senate and a rebellious army. He had made frequent use of the soft power of piety and spectacle.[30] This pageantry was more than vanity, or even self-promotion: it spoke to the importance of his office, the strength of Rome, and the favour of the gods. The dictator used religious observances in the form of large-scale sacrifices to soothe the anxious populace and distinguish himself from the previous consul; in fact, Fabius showed himself well aware of the power of ceremony and display in forging his self-image. Nonetheless, the unconventional way in which he was appointed to the dictatorship, and the tensions among the Senatorial factions which underpinned his tenure left him in a precarious position. Throughout the conflict with Hannibal, we see Fabius under pressure from Rome, pressure which he resisted in the field, but which influenced his other actions. His delaying strategy left him vulnerable to public attack, not only on grounds of cowardice or sloth, but on suspicions of having colluded with Hannibal to help the Carthaginians win the war. Convinced that delay was the only way to gain advantage in the war, Fabius held to his course, fully aware that repairing Rome's fortunes meant risking his own future. Moving forward, he would seek other types of soft power, notably ties of patronage and gratitude, to bind other parties to his cause and allow the fulfilment of his plans.

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[30] By soft power I refer to the persuasive use of cultural influence, following Wilson's definition: "In contrast to coercive power, soft power is the capacity to persuade others to do what one wants." (Wilson 114)

Part II: Profit and Loss

Fabius' unpopularity with the army and with the Senate became a critical problem for the dictator. A resounding victory against Hannibal would have helped matters, but Fabius held fast to his delaying strategy and refused to gamble with the lives of his troops. With military success far off, Fabius needed to find other accomplishments to salvage his reputation. Two incidents brought the tension between Fabius and the Senate to a head. These incidents – the sparing of Fabius' estates by Hannibal and the ransom of Roman prisoners – were both used against Fabius by his political rivals. To free Hannibal's hostages, Fabius used his dictatorial authority to negotiate with the enemy on behalf of Rome. The ransom was unprecedented both in its scale and in the fact that it was demanded of the state rather than from the prisoners' kin. Ransoming Roman captives proved a remarkably useful opportunity for Fabius to wield his soft power and promote himself. The ransom, usually portrayed as a brief episode illuminating Fabius' altruism, in fact tells us a great deal about the conflict between the dictator and the Senate, and about the lengths a Roman politician would go to in order to conserve his image. In this section, I examine the context in which the ransom operated, and its various costs and benefits. I argue that although the price was higher than Fabius expected, he ended up reaping rewards in the gain to his reputation and in the allegiance of those he freed.

"Neither fitting nor profitable": The Senate's View on the Fabian Ransom

After Lake Trasimene, Hannibal proposed an exchange of prisoners to Fabius, with the remaining Roman soldiers to be ransomed for silver.[31] This approach to ransom was rare. Prior to this exchange, prisoners of war were likely to be sold into slavery, unless they belonged to wealthy families who could raise a ransom. Wickham notes that at the time of Fabius, hostages were more likely to be redeemed privately, without financial support from the state: “Until the Second Punic War ransom was essentially a private affair, the state’s involvement extended only to arranging periods for conducting ransom negotiations or in granting permission to ransom captives” (Wickham 70).[32] In such cases, the Roman Senate might approve individual ransoms, paid with private funds, but a large-scale ransom demanded from the state was an unusual matter for Rome. Prisoner exchanges also occurred, but records of any formalized patterns of hostage taking or ransoms are rare this early in the Republic.

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[31] Livy puts the number of Roman captives at two hundred and forty-seven, Plutarch at two hundred and forty. Liv.22.23, Plut. *Vit.Fab*.7.4.

Prior to the Second Punic War, there are few records of Rome paying any kind of state-sponsored ransom. Allen begins his study of hostage-taking in the Roman world with the triumph of Titus Quinctius Flaminius in 194. As he writes, “the first hostages to receive serious attention in the literary sources are those that arrived in the decade or so following the end of the Second Punic War in 202 BCE” (Allen 10). Prior to that, we see legendary Roman hostages like Cloelia and Mucius Scaevola, whose stories became *exempla* of bravery for future generations.[33] Elite hostages were taken during conflicts with the Etruscans, Volsci and Samnites, to serve as living guarantees of treaties, but those cases did not involve ransom. Tales of heroic individuals show that the inspirational potential of hostage stories was well-established, but historically attested accounts of large-scale ransoms are rare before the Second Punic War.[34]

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[32] An example of the private ransom of prisoners of war is found in Polybius, after the Romans captured Aegina in 207. The pro-consul Public Sulpicius was petitioned by captives who wanted “σφίσι πρεσβευτὰς ἐκπέμψαι πρὸς τὰς συγγενεῖς πόλεις περὶ λύτρων,”; (“to send forth envoys to their kinsfolk concerning their ransom”) (Polyb.9.42.4-8). Publius replied at first that it was too late, but later said that he would allow them to send envoys to get the ransom, since that was their custom. The pro-consul, as senior representative of Rome, had the authority to permit individuals to seek ransom from their families in other cities. Those who could not raise the money would presumably be sold into slavery or given to Roman soldiers as part of the booty.

[33] Later, when the Senate debates the fate of the Roman hostages after Cannae, Livy has them recall the Gallic invasion of 390 and the payment of gold which the Senate made to Brennus (Liv. 22.58.7).

[34] The earliest account of Romans taken hostage en masse appears to be in Livy, describing how Roman soldiers, wanting to avenge their defeat at the Caudine Forks, were forced to hold back from slaughtering the Samnites because their enemies were holding 600 Roman youths hostage, and would retaliate by killing the hostages. (Liv. 9.14.13-16). There is no mention of a ransom demanded from Rome; the hostages were intended to act as surety against Roman attacks.

When comparable numbers of prisoners were taken on both sides, an exchange of prisoners was an alternative to seeking individual ransoms. Rome had little incentive to negotiate with those enemies who had been comprehensively defeated, but the Punic Wars forced changes to Rome's behaviour. In the *Periochae*, Livy makes reference to a prisoner exchange in the First Punic War, but all we have is the following fragment: *commutatio captivorum cum Poenis facta est*, ("an exchange of captives was made with the Carthaginians") (*Per*. 19).[35] Livy tells us that Hannibal based his offer to Fabius on that First Punic War arrangement, which seems to have been organized strictly *inter duces Romanum Poenumque* ("between the Roman and Carthaginian generals") (Liv. 22.23.6). There is no description of any ransom payment made, nor do we know whether there were any surplus captives left over after the man-for-man exchange, as in the Fabian ransom. There is also no record of that First Punic War commander (likely A. Atilius Calatinus) receiving any personal benefit from the process. It would be Fabius who first recognized that, by paying the ransom personally, he would reap the political rewards.

Fabius agreed to exchange prisoners with Hannibal, an agreement which required him to deliver silver to the Carthaginian commander. Once the exchange had taken place, he sought funds from the Senate. When Fabius sent to Rome, he was following established practice in seeking the Senate's approval on financial matters. There was no precedent, however, for expecting that the Senate would pay. Fabius, with his long political experience, realized that by refusing to finance the ransom, the Senate would give him the opportunity he badly needed. The Senate had strong political reasons for detesting the position in which the dictator had placed it. It would not consent to pay the Carthaginians any silver, a situation which it found humiliating. Furthermore, the Senate disclaimed any responsibility for the ransom of the hostages, arguing that their cowardice had made them prisoners.[36] At the same time, the more astute members of the Senate could foresee the benefits to Fabius’ career. The fact that Fabius did not put the question to the Senate before making arrangements with Hannibal led to tension in Rome as Fabius’ opponents spread word that he was overstepping the limits of his power, acting more for his own benefit than for the good of the state.

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[35] Livy 22.23.6

[36] προσῃτιᾶτο τὸν Φάβιον ὡς οὐ πρεπόντως οὐδὲ λυσιτελῶς ἄνδρας ὑπὸ δειλίας πολεμίων ἄγραν γενομένους ἀνακομιζόμενον ("Fabius was accused of not acting fittingly or profitably in trying to bring back men who had become the prey of the enemy due to their cowardice.") (Plut. *Vit.Fab*.7.4)

Fabius’ decision to act without Senatorial approval brought him the *invidia*, the hatred and resentment, of the ruling class, just as his delaying strategy brought him the ill-will of the populace. His political rivals used the ransom as an excuse to attack Fabius, already on shaky ground for his refusal to engage Hannibal in open warfare. Fabius was under pressure from all sides, from his interactions with the Senate, to his rebellious sub-commander Minucius, who nearly brought the army to mutiny. It was the Senate, though, that caused the main conflict around the issue of ransom. His political opponents painted his request that the Senate pay the ransom from public funds as Fabius overstepping the limits of his dictatorial powers; his delaying strategy likewise provided them with ammunition to argue that he was treating secretly with the Carthaginians. Livy writes that Fabius was given power to do everything necessary to ensure Rome’s safety (22.11), but this evidently did not extend to negotiating a ransom with Hannibal without the Senate’s explicit approval. The Senate’s verdict that the ransom was “neither fitting nor profitable” shows a deep concern with reputation and advantage. Moral principles were at stake, as well as practical arguments of expenditure. To pay the ransom with public funds would be to sanction treating with the enemy, and to set a precedent of redeeming discredited Roman prisoners.

Finding Fabius’ conduct in the war unacceptable, the Senate used the ransom to demonstrate its disapproval in concrete fashion. Plutarch writes that the Senate, faced with the decision of what to do with Hannibal’s Roman captives, declined to pay the ransom, citing their cowardice as the reason.

> ὡμολογήκεισαν γὰρ αὐτοῖς ἄνδρα μὲν ἀνδρὶ λύεσθαι τῶν ἁλισκομένων, εἰ δὲ πλείους οἱ ἕτεροι γένοιντο, διδόναι δραχμὰς ὑπὲρ ἑκάστου τὸν κομιζόμενον πεντήκοντα καὶ διακοσίας. ὡς οὖν γενομένης τῆς κατ᾽ ἄνδρα διαμείψεως εὑρέθησαν ὑπόλοιποι

> Ῥωμαίων παρ᾽ Ἀννίβᾳ τεσσαράκοντα καὶ διακόσιοι, τούτων ἡ σύγκλητος ἔγνω τὰ λύτρα μὴ πέμπειν, καὶ προσῃτιᾶτο τὸν Φάβιον ὡς οὐ πρεπόντως οὐδὲ λυσιτελῶς ἄνδρας ὑπὸ δειλίας πολεμίων ἄγραν γενομένους ἀνακομιζόμενον. (Plut. Fab. 7.4)
>
> For they had agreed to free the prisoners to each other, man for man, and if one side had more than the other, for each remaining man they would pay two hundred and fifty drachmas. And so, after the exchange was done, they found that there were still two hundred and forty Romans belonging to Hannibal. The Senate decided not to send the ransom for these men, and blamed Fabius for trying to recover, in a way neither fitting nor profitable, men who were hunted by the enemy because of their cowardice.

It is this loss of prestige, the sense that paying a ransom would not be suitable or advantageous to the Senate, which concerned Fabius' Senatorial rivals. It coloured their attitude toward Fabius as we see him in Plutarch and Livy. They were equally reluctant to see the dictator gain any benefit from the ransom. The agreement between Hannibal and Fabius led to suspicion against the dictator, on which his political opponents were quick to capitalize. As dictator, Fabius had a great deal of latitude in the exercise of his powers, but he was expected to act in a way which kept the state's interests foremost and preserved the *dignitas* ("personal reputation") of the other senators. The money specified, amounting to roughly two and a half pounds of silver per soldier, does not seem to be an intolerably vast sum,[37] but any amount handed over to the Carthaginians would be galling, and more practically, would help Hannibal sustain provisions for his army.[38] Rome's state finances were low due to the war; Plutarch and Livy make it clear, however, that it was not financial or military concerns which prompted the Senate to decline to honour Fabius' agreement, but suspicion and injured pride. The Senate had authority over such financial matters, and resented the dictator's settling of the matter without approval. Livy states that it was Fabius' neglect to consult the Senate before agreeing to the terms of ransom which brought him into disrepute. Furthermore, Fabius' opponents resented any popularity he would receive from negotiating a successful ransom. The Senate, in response, debated the matter of the ransom, but delayed approving the funds, *saepe iactata in senatu re, quoniam non consuluisset patres, tardius erogaretur*, ("approval was very slow in being obtained, although these matters were often discussed in the Senate, because [Fabius] had not consulted the senators") (22.23.7-8), forcing Fabius to find the money privately.

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[37] The Punic Wars depleted Rome's treasury, something that cannot be ignored when considering the Senate's reluctance to pay ransoms. Nevertheless, following Polybius' description of army pay (Polyb. 6.39.12), and assuming a similar rate of pay over the years, the ransom demanded for the Trasimene prisoners would be roughly equivalent a little over two years' average pay per soldier; a not insignificant amount, but scarcely grounds for a state to claim insolvency. For analysis of the silver value of the *denarius* and the typical soldier's pay relative to state income during the Middle Republic, see Taylor 2017. For an assessment of attested ransom prices, see Wickham 2014. We have some comparable prices for Roman captives from the Middle Republic, but their value is difficult to establish with certainty. The amount demanded in ransom varied considerably, though Stern notes that the ransom price here, some two and a half pounds of silver per capita, was established much earlier, during the First Punic War (Stern 2007:16). The price set by Hannibal for the prisoners he took at Cannae amounted to roughly double the price he demanded after Trasimene. "With such a variance in denominations and the scope of figures it is hard to establish an average, which in any case would be of little use. But it may be noted that the high price of the ransom after Cannae, as indicated by the Senate's deliberation over the money, suggests lower figures of around 200 and 300 denarii were closer to any perceived standard or average" (Wickham 62). The Cannae ransom, which the Senate ultimately declined to pay, was another case in which the supposed cowardice of the captives was the reason given by the Senate.

By seeking funds from the Senate, Fabius forced the state to consider the potential costs and benefits of financing a large ransom. [39] The Senate's reluctance was prompted at least in part by disinclination to accommodate Fabius, but what the dictator was asking was also new. The beneficiaries would be the unpopular Fabius and the soldiers who were, in their city's eyes, disgraced by their capture. A state-funded rescue did not align with Roman concepts of how defeated soldiers should be treated.[40] The Senate could have decided to allow families to ransom the prisoners, but there is no mention of any private ransom sought or offered for the Trasimene captives. Trasimene, unlike Cannae, resulted in a man-for-man prisoner exchange, with relatively few outstanding soldiers to be redeemed with coin. Private ransom therefore could have been logistically possible. Whether the average soldier could have raised the ransom required by Hannibal, or arranged for delivery of payment to the enemy commander while hostilities were still ongoing seems unlikely. After 217 and the ransom of the Trasimene captives, we see the Senate become increasingly involved in the process of ransom, but Fabius was forced to find an alternative to state payment.[41] In Valerius Maximus' account, it is clear that Fabius not only agreed upon the ransom without the Senate's approval, but had actually already taken back the prisoners, *captivos ab Hannibale interposita pactione nummorum receperat*, ("he had received back captives from Hannibal for a negotiated price") (Val.Max.4.8.1). The two commanders agreed on the price, then exchanged prisoners while Fabius sent to Rome for funds. With captives already exchanged, it was all the more urgent that Fabius find the price of the ransom. While rumours swirled that the dictator had made a secret pact with the enemy, Fabius was able to find a solution which, though costly, solved his problems and eventually brought him immense credit in Rome. The price of freeing the prisoners proved unexpectedly high, yet Hannibal was not the only commander to gain by the ransom.

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[38] Polybius and Livy disagree on how badly Hannibal needed supplies. To Livy, the Carthaginians were having great difficulties in sustaining their food supply (22.32.3), but Polybius points out that despite his soldiers and animals suffering "hunger mange" in the first half of 217, Hannibal was able after Trasimene to rest and replenish his army. He had allies in Italy and Cisalpine Gaul, and furthermore, was pillaging the rich lands of Campania (3.87.3). For further discussion of Hannibal's plunder and provisions, see Erdkamp 72-73, and Rawlings 303-306.

[39] For a discussion of Rome's finances during the war, see Bringmann 2015, who notes that the bronze coinage, the *as*, was devalued in 217, resulting in increased public debt as a result of the war with Carthage. He concludes, "For Rome, financing the war was even harder than recruitment. As early as in 216 BC, there had been signs that insolvency was imminent" (Bringmann 397). Rome's finances did not fully recover until 187, when it brought home massive amounts of booty from its conquests in Asia Minor.

[40] "The main determinant of whether or not a Roman soldier could be ransomed was a charge of cowardice." (Wickham 71)

The Value of Hostages

Lacking Senatorial funds, Fabius was left without the means to fulfil his agreement with Hannibal, something that greatly concerned him.[42] It was a matter of personal *dignitas* and reputation to keep to the agreement he made. More dangerously, the exchange of hostages fed the rumours that Fabius had made some secret arrangement with Hannibal. It is worth examining what each commander hoped to get from the ransom. Fabius outnumbered Hannibal; he needed the ransom, not to add soldiers to his army, but to add lustre to his name. His astuteness lay in his recognition that redeeming the captives would provide an ideal situation for him to make a grand gesture and improve his reputation. By negotiating directly with Hannibal, Fabius was showing that he felt confident of his ability to hold Hannibal to the terms of the deal. This was something of a gamble, given the depth of hostilities between Rome and Carthage, but Fabius clearly felt it necessary. Meanwhile Hannibal needed his own captives returned to him even more than he needed money or supplies. His hope of reinforcements from Carthage was slowly fading. He needed to reach an understanding with Fabius, though he had little faith in the state of Rome. He received back his own captured soldiers and obtained money for badly needed provisions, and at the same time removed a contingent of useless mouths from his struggling camp and sowed discord between Fabius and the Roman state. Fabius, with his political and military experience, no doubt realised the advantages to Hannibal, and yet saw benefits to proceeding. Allen points out that hostages were living stand-ins for the authority of their state: "Just as hostage submission from the weak to the strong articulated and cemented a hierarchy, the mutual exchange of hostages one to another proclaimed equal status in international relations…the manifestation of a common bond" (Allen 76-77). In the case of the Trasimene hostages, not only were they being mutually exchanged, but Rome was to go further and pay the Carthaginians.

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[41] Perhaps the clearest example of the Senate's options for dealing with ransom comes from the detailed debate after Cannae in 216, discussed in Part IV of this thesis.

[42] Plut Vit. Fab. 7.5

The Carthaginians, like the Romans, had numerous options for dealing with their hostages, depending on the desired result. Livy writes that after Trasimene, the cavalry commander Maharbal overtook the remnants of the Roman survivors and promised them freedom if they surrendered their weapons. This promise was promptly "fulfilled with Carthaginian conscientiousness:" Hannibal threw the prisoners into chains.[43] Furthermore, Hannibal made sure to release his Latin and Italian prisoners *sine pretio* (without ransom). By distinguishing between Romans and those of other status, he was attempting to win over the wavering Italian cities and sever them from the Roman cause. Much as Hannibal needed funds, he needed allies more. Supplies and reinforcements from Italian cities could make all the difference to his campaign, particularly as Fabius refused to engage him in the pitched battle he wanted. The fate of the captives depended greatly on their citizenship status and on the competing needs of Carthage and Rome. Under other circumstances, hostages might reasonably expect to be redeemed by their kin, if they had the resources, but the Trasimene captives were at the mercy of a host of other factors, including the political pressures brought to bear on both commanders. Hannibal was under pressure from Carthage to strike at Rome quickly and justify the expense of the war; Fabius faced his own opponents who longed to discredit the dictator. While the literary sources tend to portray the ransom as a "gentleman's agreement" between Hannibal and Fabius, the captives were collateral in a war that was bringing both sides increasingly to the point of desperation.

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[43] *quae Punica religione servata fides ab Hannibale est atque in vincula omnes coniecti* ("which was fulfilled with Carthaginian conscientiousness by Hannibal, and all were thrown in chains" (Liv.22.6.11-12)

The value of hostages lay primarily in their influence on their home communities. When hostages were held as security in political alliances, their captor could ensure cooperation; Fabius recognized that redeeming hostages could be an equally powerful gesture. Communities could be swayed by fear of harm coming to the captives, or by gratification at their release. [44] Hannibal, with political acumen, held his Roman hostages for ransom, but let his Italian captives go free without asking payment, thus hoping to persuade the Italian cities that they would be better aligning themselves with Carthage than with Rome. Appian, in a departure from most ancient sources, makes reference to Hannibal meting out a very different fate to the Trasimene hostages. Appian asserts that Hannibal, needing to lead his army to safety but hemmed in by Fabius, killed his 5,000 Roman prisoners outright to avoid the complication of keeping them under control during his manoeuvre.[45]

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[44] For a detailed discussion of the position of hostages as human collateral, see Allen 2006: 38ff.

> ὧδε δ᾽ ἔχων ἀπορίας τοὺς μὲν αἰχμαλώτους ἐς πεντακισχιλίους ὄντας κατέσφαξεν, ἵνα μὴ ἐν τῷ κινδύνῳ νεωτερίσειαν (App. *Hann*. 12.3.14)
>
> Being thus in great difficulty, he killed his 5000 prisoners so that they would not attempt any violence during the danger.

This action of Hannibal's is not recounted elsewhere other than Zonaras,[46] and appears unlikely when Polybius and Livy relate that the prisoners were ransomed. Cassius Dio is much closer to Livy and Polybius in his description: Hannibal spares Fabius' lands, which Fabius then sells to redeem the hostages. There is no mention of any slaughter of captives.[47] Where Appian and Zonaras' account is convincing is in the assumption that Hannibal would have had the right to execute the prisoners if he wished, assuming that no other arrangement had been reached. Certainly, Hannibal and Fabius were both well aware of the tactical benefits in how they used the captives. Captured or ransomed, released or killed, prisoners of war could serve as useful tools in the hands of their captors or their liberators.

Selling a Patrimony

The ransom was partially responsible for the rising tension between the dictator and the Senate, and fuelled rumours of a secret compact between Fabius and Hannibal. A second difficulty concerned the dictator's lands. Hannibal was destroying the towns and lands of Italy, but deliberately left Fabius' own estates intact in order to sow discord between his enemies.[48]

> Accesserant duae res ad augendam invidiam dictatoris, una fraude ac dolo Hannibalis, quod cum a perfugis ei monstratus ager dictatoris esset, omnibus circa solo aequatis ab

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[45] This is the famous episode of the cattle, in which Hannibal tied burning straw to the horns of oxen and chased them toward the Roman camp so that his army could make a break for safety during the confusion, cf. Livy 22.16-17.

[46] Zonar. 8.26

[47] Cass. Dio. 14.57.15

[48] This strategy of Hannibal's was remarkably effective and would inspire future commanders.

> uno eo ferrum ignemque et vim omnem hostium abstineri iussit ut occulti alicuius pacti ea merces vieri posset. (Liv. 22.23)
>
> Two things arose which increased the resentment toward the dictator, one of which was a deception and ruse of Hannibal's. When some deserters showed him the estate of the dictator, he gave orders that when everything around it had been levelled to the ground, that one estate was to be spared fire and the sword and all enemy might, so that it might appear to be payment for some secret pact between them.

Silius Italicus, too, describes the episode of the Fabian land in his epic *Punica*. For the poet, the scene is an opportunity to showcase the trickery of Hannibal, who, fearing Fabius, attempts to suggest the existence of a secret pact between them.

> *Hinc pestem placitum moliri et spargere causas*
> *In castra ambiguas: ferro flammisque pepercit*
> *Suspectamque loco pacem dedit arte maligna*
> *Ceu clandestine traheretur foedere bellum* (Sil. *Pun*. 7.264-267)
>
> From here on, he resolved to spread malaise and disseminate doubt in the camps: with treacherous skill he spared that land from flame and sword and left it in peace, so that it might be assumed there was a secret treaty to prolong the war.

Hannibal's scheme was successful, and Fabius was forced to dispel suspicions in Rome that he might have a secret arrangement with the enemy. In the Roman climate of suspicion, fear, and political machinations, Fabius, an eminent politician and general who had served with distinction, was nevertheless suspected of allying himself with the Carthaginians. His refusal to fight, his private agreement with Hannibal concerning the ransom, and now the fact that his lands had escaped destruction, provided fodder for his political opponents, and threatened to sink his reputation. With all of Italy making sacrifices in the war, it was vital for Fabius to share in the suffering if he were to regain his country's trust.[49]

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[49] It is worth remembering that Italian land was burning as well as Roman. Hannibal was seeking every opportunity to turn Rome's Italian allies to his cause, and Fabius had to preserve those ties. Hannibal, always keenly aware of the optics of his actions, had taken advantage of another ransom situation. After Trasimene, he let his Italian prisoners go free, without ransom (Livy 22.13). This had the doubly useful result of helping to woo the Italian allies to his cause and freeing himself of mouths he could scarcely afford to feed.

The tribune Metilius, one of Fabius' most outspoken opponents, accused Fabius of defending his own lands with the Roman army while allowing Hannibal to ravage the rest of Italy (Liv. 22.25.7). He then alluded to the incident of the ransom, saying that the master of horse Minucius and the rest of the army, though wanting to fight, were *tamquam hostibus captivis arma adempta* ("kept from their weapons like enemy prisoners") (22.25.7). Metilius connected the untouched Fabian land with the devastation surrounding it and used it to attack the dictator. The Fabian strategy of delay, which had been effective at regrouping the legions and rebuilding the Roman defense, could not prevent Hannibal setting Italy afire. Metilius explicitly accused Fabius not merely of incompetence and cowardice, but of collaborating with the enemy and profiting from the war.[50]

Fabius was able to solve both his political problems with one decision. With the Senate refusing to provide payment for the hostages, Fabius sold his own estates to raise the money – the same estates which Hannibal had carefully left intact. In one stroke, the dictator sacrificed the land which had suggested an alliance with Hannibal, and redeemed the Roman prisoners, helping to mitigate some of the damage done to Roman morale at Trasimene. Plutarch emphasizes that although Fabius was prepared for disapproval in Rome, he would not allow lack of funds to prevent him from honouring his agreement with the Carthaginian commander.

> ταῦτ᾽ ἀκούσας ὁ Φάβιος τὴν μὲν ὀργὴν ἔφερε πρᾴως τῶν πολιτῶν, χρήματα δ᾽ οὐκ ἔχων, διαψεύσασθαι δὲ τὸν Ἀννίβαν καὶ προέσθαι τοὺς πολίτας οὐχ ὑπομένων, ἔπεμψε τὸν υἱὸν εἰς Ῥώμην κελεύσας ἀποδόσθαι τοὺς ἀγροὺς καὶ τὸ ἀργύριον εὐθὺς ὡς αὐτὸν ἐπὶ τὸ στρατόπεδον κομίζειν. ἀποδομένου δὲ τοῦ νεανίσκου τὰ χωρία καὶ ταχέως ἐπανελθόντος ἀπέπεμψε τὰ λύτρα τῷ Ἀννίβᾳ καὶ τοὺς αἰχμαλώτους ἀπέλαβε: καὶ πολλῶν ἀποδιδόντων ὕστερον παρ᾽ οὐδενὸς ἔλαβεν, ἀλλ᾽ ἀφῆκε πᾶσι.
>
> (Plut. Vit.Fab.7.5)

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[50] Briscoe and Hornblower assess whether Fabius had, in fact, sold his estates by the time of Metilius' speech. They point out that the speech of Metilius falls apart under closer scrutiny. The reader knows that by this point Fabius has already sold his lands to pay the ransom, and Metilius himself is presented as aware of this fact. His accusations are therefore empty (Briscoe and Hornblower 230, 23.8n). The overall effect is to illustrate the deceit of Metilius and his faction, and to heighten the reader's sympathy for Fabius.

> When Fabius heard [the Senate's refusal], he bore the anger of the people calmly, but not having the money, nor being able to endure deceiving Hannibal and abandoning his fellow citizens, he sent his son to Rome and ordered him to sell his lands and bring the money to him at the camp straightaway. Once the young man had sold the fields and quickly returned, Fabius sent the ransom to Hannibal and took back the prisoners of war: and though many later tried to repay him, he did not take money from anyone, but discharged the debt for all of them.

The sale of land signifies more than a convenient way to raise funds. Fabius sells his family's estate, worth, according to Valerius Maximus, seven *iugera* (Val. Max. 4.8.1). Not a vast property, but land which had been in the Fabian family for generations.[51] It is worth remembering that the land, while not extensive, comprised some of Italy's best wine-producing soil.[52] The value of unscathed and fertile land during wartime was likely at a high premium. The sources may be underrepresenting its worth to illustrate Fabius' (comparatively) modest fortune. Fabius is represented as a Roman aristocrat in the style of the earliest Republic, with a small but productive estate and a familial connection to his Italian land, who is nonetheless willing to sacrifice his patrimony to save his homeland.

To a traditional Roman patrician, the sale of one's family estate was something of grave significance, something only to be undertaken in dire necessity. Such a sale might well have been transacted quietly, avoiding public shame. That was not something that Fabius, whatever his private feelings, could afford to do. He turned an otherwise desperate act into a noble gesture of sacrifice by publicizing it. The more rumours swirled about a secret pact, the more reassuringly open he needed his actions to be. As noted earlier, the actual amount of silver needed to redeem the two hundred and forty-seven captives was large but not inordinately so for an aristocrat at the top of Rome's political ladder. Quite possibly Fabius could have raised the funds elsewhere, even given the exigencies of war, but he needed to divest himself of the lands, which were bringing him more trouble than they were worth. His enemies had linked his estate with the ransom; very well, he would ensure that the funds gained by its sale would redeem the prisoners. He protected himself from the attacks on his integrity by his quick action. No wonder that he did not allow any of the ransomed soldiers to pay him back: any gain from the sale had to be to his character, not his purse, if it was to be effective in solving his problems at Rome. It was a masterstroke of political calculation, achieved by someone with a keen grasp on how to appeal to Roman sentiment. The act of ransom established moral credit at the same time as financial debt. Hostages were living symbols of the generosity and honour of their redeemer. Indeed, Valerius Maximus puts Fabius in his category *De Liberalitate* for the dictator's generosity in freeing the hostages with his own money, and sums up the episode with a typical focus on morality: *se enim patrimonii quam patriam fidei inopem esse maluit* ("he preferred to lose his patrimony rather than his state lose its honour") (Val. Max. 4.8.1).[53]

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[51] For more on the division of Italian land into seven *iugera* parcels during the early and mid-Republic, and how Romans viewed the value of such land as "sufficient but modest" see Bernard 2016.

[52] Sil. *Pun*. 7.260-263

Fabius may have lost his ancestral estate, but he ultimately ended the richer in reputation, its own powerful currency. The ransom paid tangible benefits too, in the persons of the freed hostages. We have seen earlier that the process of ransom was changing, from a kinship concern to an affair of the state. By declining to pay Hannibal's ransom demand, the Senate accidentally made Fabius the recipient of its benefits as well as its cost. The result was the liberty of the prisoners and the immediate transfer of their loyalty to the man who had freed them. This personal allegiance of troops to their commander, to whom they owed their lives and livelihoods, is a familiar pattern in the later Republic; the devotion of Fabius' troops shows its seeds were already planted in the second century. The ransomed soldiers had not originally been under Fabius' command, but they now owed him a double service of loyalty, first as their general, and secondly as their rescuer. The next part of this thesis examines these ties of obligation between the rescued soldiers and Fabius, and how the episode of the ransom shows these ties expressed in terms of patronage.

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[53] Shackleton Bailey translates *fidei* as "credit" which frames the exchange in an interesting debate about value and debt – both moral and financial. I have rendered *fidei* as "honour" here but there is certainly a religious as well as political implication to whether a city abides by the agreements made by its leaders.

Part III: Rescue and Redemption

The decision to ransom the survivors of Trasimene can be read as Fabius making a strategic investment in Roman morale which had implications beyond the army. We have seen Fabius' skill at repairing his own reputation among the Roman people; we turn now to Fabius' concern with his own troops, and how he made similar use of soft power, expressed through patronage and piety, to enhance the morale of his army while adding lustre to his own name. In one particular episode, the rescue of Minucius and his men, we see a morality tale illustrating the dictator's altruism. The story complements the ransom episode neatly: Fabius the generous commander is scorned and derided, but proves his superiority by delivering Roman soldiers. If we look more closely, however, we see the bonds of piety and patronage which operated even on the battlefield. I argue that these obligations operated at the same time as the need for self-promotion. Popular undertakings such as rescues and large-scale sacrifices served to raise the dictator's standing with the army as well as reinforcing existing social bonds with the people. Likewise, I argue that the result of such heroic episodes was to transfer the loyalty of the troops to the individual commander who had freed them. When Fabius' soldiers hail him as their patron, the typical relationship between commander and troops has changed to become more intimate at the cost of weakening the bond between the army and the state.

Fabius the Patron

Roman generals, being politicians, were continually aware that their actions in the field had an impact on their reputation at home. In addition to his reputation in the Senate, Fabius had to consider his popularity among his troops and the Roman people. The outcome of the battle of Trasimene left Rome badly shaken. The body of the consul Flaminius was never recovered, a great shame and a mark of divine disfavour. Of the roughly 25,000 Romans who fought, ancient sources differ as to the number of survivors, but Livy, claiming to follow the estimates of the contemporary witness Fabius Pictor, estimates the number as at least 15,000 dead and another 10,000 scattered or captured (22.7.1-4).[54] Valerius Maximus puts the Roman dead at 15,000 with 6,000 captured and a further 20,000 fled (Val. Max. 1.6). When Fabius took command, he was forced to use green troops who were unnerved by these defeats and full of doubt. Fabius was fighting a crisis of morale among his troops. His delaying tactics, while giving his troops time to collect themselves and train, also led to mounting unease in the ranks and back at Rome. When Minucius began inflaming his fellow officers against Fabius, his audience soon spread to include the rest of the army.[55] Likewise, Metilius, Minucius' complicit tribune of the plebs, denounced Fabius to the populace in Rome. Livy tells us that as Fabius continued to delay and tension rose between himself and his *magister equitum*, the news from the battlefield was "very often discussed both in the senate and in the assembly" (22.25.1). As discontent mounted in camp and at Rome, Fabius' position became increasingly precarious. The situation in the army was the more immediate danger, but the problem at Rome was vitally important to Fabius. To salvage his reputation and ensure his command could be leveraged into additional rank and honours, he either needed to engage Hannibal, which would have meant breaking with his strategy, or to perform another popular deed. The ransom of Roman prisoners gave Fabius one opportunity to increase his popularity; Minucius inadvertently gave him another.

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[54] Le Bohec finds, if anything, these numbers to be on the low side (Le Bohec 180).

[55] Livy tells us that Minucius first begins to complain quietly to a few of his peers among the officers, and then openly to the rest of the army: *primo inter paucos, dein propalam in volgus* ("first among a few people, then openly among the common soldiers") (22.12.12). The distinction is drawn not only between the status of the audience in each case, but the methods of the *magister equitum*. The episode is structured as a morality tale by which Minucius meets his comeuppance and the dictator is proved his superior, but it also says a great deal about Roman struggle for political advantage. When Minucius moves from private mutterings to outright mutiny, he does so knowing that it will appeal to the public. Likewise, Livy makes his repentance satisfactorily public. By acknowledging Fabius as *pater* and relinquishing his joint command, Minucius transfers his allegiance to the Fabian faction. A public scene of contrition is needed to redeem his public denunciation, and the whole struggle for advantage plays out before the army.

When the Plebeian Assembly passed its bill and gave Minucius co-imperium, it effectively halved Fabius' control of the army.[56] Minucius met the dictator to discuss how they would share power. Given the choice between taking half the army under his control, or taking command on alternate days, Livy writes that Minucius preferred the latter. Fabius would not agree to this and insisted on dividing the legions between them as though they were two consuls. Polybius differs from Livy, writing instead that Minucius was given the choice and preferred to divide the command.[57] Where the authors do agree is on what happens next. Hannibal, delighted at this division in his enemy's forces and leadership, baits a trap.[58] Minucius rushes to engage him and is overtaken by the Carthaginian reserves. The Romans are suffering badly when Fabius, in a neat conclusion to the morality tale, realizes what has happened and rushes to the rescue. Hannibal's forces are beaten back, and the penitent Minucius begs forgiveness for his rashness and his earlier antagonism. He hails the dictator as "father" and relinquishes his command. After the rescue, Minucius technically retained his imperium, but Fabius took back command of both halves of the army. The episode raised Fabius' reputation enormously. It also brought him influence in the form of new clients among Minucius' soldiers.

Patronage, the complex system of favours and obligations that ran through the heart of Roman political life, extended to the relationship between soldiers and their general, and provides a helpful lens for interpreting Fabius' actions and the implications of the ransom. Patronage was a system of mutual obligation. While clients were expected to serve their patrons in numerous ways, not least with their political support, patrons were likewise expected to support their clients. Roman generals, always aware of their careers, used their commands to increase their clientele and their prestige. Military encounters provided opportunities for the forging and reforging of networks of patronage.[59] The relationship between a general and his soldiers in many ways functioned as a type of patronage.[60] Soldiers obeyed their orders, and the general in turn was expected to use his troops wisely, to reward their bravery, and to preserve their lives as far as possible. If rescued in combat, as we see with Minucius and his men, soldiers would feel obligated to the general who saved them. Likewise, hostages redeemed by a single commander rather than the state would owe a tremendous debt to the one who paid their ransom.

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[56] Scullard and Badian call the concept of co-imperium between dictators "a constitutional absurdity" (Scullard and Badian 988).

[57] For a discussion of the difference between Livy and Polybius' accounts, see Briscoe and Hornblower 236, 27.6n. They conclude that Livy's account is more likely to be correct, since giving up the command on alternate days would leave Fabius' position too vulnerable if Hannibal tried to force an engagement on one of Minucius' days, and Fabius is therefore unlikely to have acceptive this division of power.

[58] *Hanc post rem gestam non ita multis diebus M. Minucium Rufum, magistrum equitum pari ac dictatorem imperio, dolo productum in proelium, fugavit* ("After this deed, it was not many days later that he put to flight Marcus Minucius Rufus, master of the horse, who was equal in power with the dictator, and who had been tricked into battle") (Nep. *Han*. 5.3)

Soldiers captured by the enemy were among the most vulnerable of any ancient populations. Disconnected from the protection of homeland, identity, and status, they typically found themselves at the mercy of their captor. Unless relatives or, more rarely, the state, intervened on their behalf, they could find themselves killed outright, enslaved, or sold. The possibility of ransom and redemption created an area for negotiation, in which commanders from different cultures could reach an agreement. It could also create the potential for conflict and serve as a test of the limits of a commander's authority. The potential for ransom could depend on numerous factors, including an accord between enemy commanders, the availability of funds, and, we are told, the circumstances of their capture. Cowardice could be an excuse to refuse payment of ransom, which is precisely the reason given by the Senate in the case of the troops captured at Trasimene, and later at Cannae. The families of those captives were prevented by the state from paying the ransom, which effectively cut off the hostages from their home communities. While captives could be ransomed privately, the Senate had to approve large-scale ransoms, and those which affected national security. Without private resources, the typical prisoner had to hope for the intercession of a third party, who might pay out of kinship or a similar sense of duty.[61] This outcome was far from guaranteed.

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[59] Wickham notes that defeated enemies provided one source of new clientele, "ultimately Roman commanders were politicians, and defeated enemies became their *de facto* clients" (Wickham 31). It was not only enemies, however, but Roman soldiers who could find themselves in a new patronage relationship due to the outcome of war.

[60] For a discussion of the social and tangible rewards of soldering under the Republic, see Milne 2019. Milne discusses the incentives for the average soldier to seek honours in combat and to boost their commander's reputation, in order to uphold their own prestige. The more the army became a "legitimate path for distinction," the more invested the troops were in the personal reputations of the generals who rewarded them (Milne 2019: 147).

Wickham argues that until the Second Punic War, ransoms were typically paid privately, with minimal state involvement, while "the debt from ransom and the system of repayment were a matter of custom rather than law, and for this reason they have no clear footprint in Roman law like that of *postliminium.*" (Wickham 70-71). Essentially, any repayment or restitution on behalf of the captive was a private arrangement, but custom dictated that anyone ransomed owed a tremendous moral debt to their rescuer. Fabius recognized the advantages that he could gather from each soldier whose ransom he paid. As dictator, he had full control of Rome's forces when he arranged the ransom, but limited access to public finances. When Fabius dealt with Hannibal, he represented himself as acting on behalf of the state but the Senate, after much debate, judged that the ransom was not in Rome's best interests. The Senate's decision nullified Fabius' promise as a public representative of the state and put him in a difficult position. As a man of honour, he felt himself personally responsible for the hostages. Rome itself had no legal obligation to ransom the soldiers, but once the deal had been agreed, Fabius had a contract with Hannibal and was obliged to find the payment. The ransom, however, never truly became a purely private matter, as Fabius was still acting as an agent of Rome. Using his official status to make the arrangement, but paying the debt from his own pocket, Fabius negotiated the shifting and overlapping worlds of patronage and military command.

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[61] "The obligation of an individual to ransom members of his *familia*, client or patron from the enemy had been established early as well and this was based upon the moral obligation imposed by religious custom (*ius sacrum*)." (Wickham 53)

Ancient accounts of the Second Punic War use the language of kinship and patronage to suggest mutual obligation between generals and soldiers. When Minucius – then enjoying co-dictatorial powers and thus the command of one-half of the army - launched a presumptuous attack on Hannibal and had to be rescued by Fabius, Livy describes the scene as a morality tale: the rash tribune humbly begs the dictator's forgiveness, hails him as *pater*, and instructs his soldiers to address Fabius' men as *patroni*[62] and Fabius himself as *parens*.[63] Just as Minucius is subordinating himself to Fabius, his soldiers subordinate themselves to the Fabian half of the army in an expression of gratitude and humility. Silius Italicus, in his epic *Punica*, has Minucius' soldiers call his paternalistic and forgiving Fabius "*genitor*" (Sil. *Pun*.VII.737). Similar language is found in descriptions of other battles: in 458 the dictator Cincinnatus rescued his rash *magister equitum* Lucius Minucius (sometimes written as Minutius) from the Samnites, upon which the army voted the dictator various trophies and hailed him as patron.

> sed adeo tum imperio meliori animus mansuete oboediens erat, ut beneficii magis quam ignominiae hic exercitus memor et coronam auream dictatori, libram pondo, decreuerit et proficiscentem eum patronum salutauerit (3.29.3)
>
> At that time they were so tamed to obedience by the authority of a greater spirit that, mindful that they had been treated with great kindness rather than shame, this army voted the dictator a golden crown weighing a pound, and setting forth they hailed him as their patron.

Chaplin notes that Lucius Minucius, resigning his consulship in disgrace, came to regard Cincinnatus as his personal patron (Chaplin 2000:111n.14). A commander wielded military, political and personal authority together. The lines, to the Roman mind, were comfortably blurred. Any military act of great consequence would also have personal ramifications for those involved. Thus, rebellion and mutiny were an attack on the commander's honour (not to mention his political future); conversely, the saving of a life on the battlefield could create a bond expressed in the establishment of formal patronage.

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[62] *Ut constituta sunt ante tribunal signa, progressus ante alios magister equitum, cum patrem Fabium appelasset circumfusosque militum eius totum agmen patronos consalutasset* ("when they stood before the platform, the Master of Horse advanced ahead of the others, and when he addressed Fabius as 'father', his whole army saluted the soldiers around them as 'patrons'") (Liv. 22.30).

[63] After Fabius saves him from an embarrassing defeat at the hands of Hannibal, Minucius declares, *ubi ego eum parentem appellauero*, ("therefore I will call him father") (Liv. 22.29). See Buchanan (2016) for a discussion of the distiction between *pater* and *parens*. Livy's choice of *parens* here has strong connotations of authority and patronage. Buchanan explores the terminology of titles such as *pater patriae* and concludes, "the familial associations of *pater* are stronger than that of *parens*, whose connotations were with benefaction" (Buchanan 11n24).

Good Faith: The Performance of Piety

If patronage functioned as an expression of obligation and duty that connected Romans across social backgrounds, then *fides*, or good faith, was its corresponding expression of integrity. Reputation, always crucial among public figures, depended on a person honouring their commitments, thus demonstrating their *fides*. Politicians represented their *fides* when they met their promises to the electorate, likewise when they proved sound in their personal affairs. Valsan writes that *fides* was integral to a Roman's dealing with the enemy, as well as with fellow Romans:

> The relations of *fides* were numerous and complex among the Romans. *Fides* represented the cornerstone of friendship (*amicitia*) and patronage (*clientela*), the high creditworthiness associated with nobility, the ultimate form of surety and godly protection. The Romans also applied *fides* to many aspects of their international relations. Good faith in war (*fides in bello*) required Roman combatants to demonstrate fair play and chivalry toward their adversaries. In case of negotiations with the enemy, good faith in negotiations (*fides in colloquio*) required the belligerents to respect scrupulously the integrity of the delegates from the other side. (Valsan 51) [64]

As Plutarch tells us, Fabius could not bear the thought of breaking his agreement with Hannibal, thus compromising his (and by extension, Rome's) *fides* on the international stage (Plut. Vit. Fab.7.5). In fact, Fabius would rather endure the anger of his fellow citizens than break his word to the Carthaginian commander. Forced to choose between conflicting duties, Fabius made the choice to prioritize the ransom and his pledge to Hannibal.[65]

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[64] Compare with Livy's description of Maharbal's treachery on pg. 30. *Fides* provided Roman authors with a convenient moral framework for distinguishing their side from the enemy (Liv. 22.6.11-12).

[65] Plut. *Vit. Fab*. 7.5. Plutarch's word, διαψεύδω ("to deceive"), can imply both breaking a promise and financial deception. The question of honouring a debt and keeping one's word are intermingled.

The ransom placed Fabius in a difficult position, since the exchange of captives had already begun before word came that the Senate would not pay. As Rome's leading magistrate, Fabius had an obligation to treat honourably with the enemy (something which Rome did not always follow in practice, particularly during the Punic Wars). Any breach of good faith could carry political, social, and religious consequences. Once he had made an agreement to redeem the prisoners, Fabius was obliged to follow through and conclude the deal, even at the cost of paying the ransom personally. But was Fabius under obligation to agree to the ransom in the first place? It appears not. Roman captives, as we have seen earlier, were not always ransomed, or not by the state. A commander may have felt a patron's sense of duty to the soldiers under his command, but there were compelling reasons not to negotiate with the enemy. The Senate should have been consulted, and the Senate was reluctant to spend public silver on men who had allowed themselves to fall into enemy hands. Strictly speaking, Fabius had no particular obligation to ransom the Trasimene soldiers; *fides* did not apply, as they had forfeited protection by being captured.

Fides applied to any area of life in which obligations were incurred, including legal, social, and religious customs. The necessity to maintain good faith had ramifications in the political sphere and affected the behaviour of those in office. De Wilde argues that *fides* provided a vitally important framework for preventing the abuse of dictatorial power (de Wilde 2012). The constraints of moral obligation were informal but powerful, as the construct of *fides* worked hand in hand with the all-consuming Roman concern for reputation.[66] Groves explains *fides* as essential to the concept of Roman virtue, being a construct aligned with personal honour.

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[66] Writing on these informal constraints, de Wilde notes, "these included peer pressure, political and electoral incentives, and moral and religious responsibilities. For instance, the prospect of a political career after the dictatorship ended caused dictators to observe the senate's advice or to seek popular support even though they were not legally obliged to do so. Moreover, the dictatorship's 'sacred aura' may have contributed to the belief that a dictator had certain religious responsibilities, and that his actions were witnessed by the gods, which, again,

> Rather than a set of rules, ideal Roman conduct was based around demonstration of the moral qualities attached to fides, being trustworthy, which included openly stating intentions and engaging in diplomacy, such as it was, and honoring obligations to friends and allies (Groves 2013:40)

This expression of honour through *fides* could be extrapolated from the personal to the public, as the holders of public office were expected to demonstrate their good character in their personal conduct and in their public duties. Once Fabius had agreed to ransom the prisoners, *fides* demanded that he honour his commitment. Failure to do so would have resulted in loss of honour. Lacking funding from the Senate, Fabius found an original way to fulfil his pledge. By selling his land, he repudiated any suggestion of a hidden arrangement between himself and Hannibal and increased his reputation for honesty. By using the proceeds from the sale to redeem the hostages, he found a novel way to demonstrate a commitment to *fides* in the public sphere.

Any examination of *fides* among Rome's commanders must also take into account the importance of religious obligation and the public performance of piety. Religious rites allowed the Roman elite to showcase their *fides* by publicly honouring their commitments to the gods. Piety is traditionally associated with Fabius' character, but the performative aspect of religion among the elite should not be underestimated. Piety was an avenue by which Fabius used his office to promote himself and reassure Rome at the same time. As with the other types of soft power at his disposal, Fabius was not slow to recognize the effectiveness of religiosity; indeed, his very first action upon taking office as dictator involved spectacular large-scale offerings designed to unify the city. He situated these observances in the context of restoring faith with the gods, positioning himself as a leader who could repair the damage done to Rome by the enemy, but more urgently, by her own former consul's neglect

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encouraged the dictator not to abuse his powers. Finally, there were important moral constraints on the dictator's power, which were articulated in stories of dictators who had testified to an exceptional virtuousness and commitment to republican values. Such informal constraints on the dictatorship were as important as formal constraints for preventing an abuse of dictatorial powers." (de Wilde 2012:75-76) of the gods.[67] We are told that the populace fell in with this program willingly, disturbed by the ill omens and fearing a repeat of the disaster at Trasimene.

When Fabius received the dictatorship, he was faced with a collapse of morale among his troops and in Rome itself. The religious observances he initiated reassured the public, and allowed the dictator to distinguish himself in the eyes of the army from previous impious (and therefore unsuccessful) generals. It was particularly important for generals to show their respect for the gods in order to reassure the soldiers under their command that they could hope for divine favour in battle.[68] We are told that prior generals had neglected the gods, but Fabius was well aware of the effect that the appearance of divine favour could have on the troops. There was an element of calculation in his public display of religious devotion which speaks more to Fabius' competence as a general than any particular piety. Any lapse in religious duty would be fodder for political enemies to use against Fabius. Accordingly, he was careful to honour the gods with immense sacrifices. Fabius is traditionally portrayed as a pious man, and religious actions and language are frequently found in conjunction with his important scenes.[69] Livy consistently portrays Fabius as a deeply religious man with genuine reverence for the gods; for Plutarch, the dictator is cynically aware of the power of religion to influence crowds, and his sacrifices are part of his overall strategy.

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[67] Hoyos notes that Fabius may have been chosen as dictator partly because, as Rome's oldest living augur, he might be expected to know how to appease the gods. (Hoyos 2015: 311n.7)

[68] "La guerre reste bien dans cette période mouvementée à la fois une affaire de stratégie et de rituel. Avant, pendant et après le combats, l'*imperator* ne se départ jamais de son rôle religieux: il agit comme intermédiaire entre les hommes qu'il dirige et le dieux qu'il consulte." Warfare during this turbulent period was at the same time a matter both of strategy and ritual. Before, during, and after battle, the imperator never ceased to play a religious role: he acted as intermediary between the men under his command and the gods whom he consulted.) (Lacam 85)

[69] Silius Italicus extends this language as far as possible, calling Fabius a descendant of the gods, the Shield of Rome whom Minucius hails as, *sancte o genitor* ("revered father") (Sil. *Pun.* VII.737). On being rescued, the soldiers *quam multa precatus in mensam Fabio sacrum libavit honorem* ("with many prayers poured a libation on the altar in honour of Fabius") (VII.749-750). The religious focus is less prevalent in other authors, but the connection between Fabius and piety is well-established.

> τῶν μέν οὖν πολλῶν ὁ Φάβιος τὴν γνώμην ἀπαρτήσας εἰς τὸ θεῖον ἡδίω πρὸς τὸ μέλλον ἐποίησεν αὐτὸς δὲ πάσας θέμενος ἐν αὑτῷ τὰς τῆς νίκης ἐλπίδας, ὡς καὶ τοῦ θεοῦ τὰς εὐπραξίας δι᾽ ἀρετῆς καὶ φρονήσεως παραδιδόντος. (Plut. Fab. 5.1)
>
> Fabius encouraged the people to turn their minds to the gods to make them content, but he put all his hopes of victory in himself, as he believed that the success is given by the gods for excellence and wisdom.

The sacrifices ordered by Fabius help to establish him as a leader who is careful to honour public and personal commitments, and who is well aware of the unifying potential of such an action. By following the panic in Rome with coolheaded piety, Fabius was proclaiming a change in the fortune of the war.

Investigating the cultural significance of religious institutions during the mid-Republic, Dan-el Padilla Peralta sees a link between the number of portents appearing at this point in time and the power struggles of the political landscape. The increased competition for prestige among the nobility found an expression in the religious sphere, which he describes compellingly as, “the formation of an increasingly specialized and differentiated elite that strove to collaborate with non-elites in order to implement the techniques and rituals through which Rome’s social cohesion was maintained”(Peralta 233). The observance of omens and portents, and the fulfilment of the attendant religious duties, allowed the elite to demonstrate their good faith (in the most literal sense), and formed a system to which the social orders could turn in times of crisis. Peralta likewise notes that out of the omens listed by Livy in 218, each one is immediately followed by military preparations (Peralta 237). This timing is not surprising: Hannibal was moving through Italy and defenses had to be made against him, but the omens were a sign that demanded a response from the commanders as well as the average soldier. Peralta sees these expiations of omens as a deliberate tactic to inspire Roman citizens to bravery; it is equally likely that bad news would inspire reports of bad omens. As military commanders held religious authority too, they had a duty to appease the gods.

The performance of ransom provided a public opportunity for a commander to demonstrate piety. To redeem hostages was to take responsibility for restoring them to their proper sphere. In the case of Fabius, the ransom gained particular religious significance because he acted to rescue men without being compelled to do so. A patron had a duty to ransom clients,[70] but generals, though they served as *de facto* patrons to their troops, were not bound by the same ties. The Trasimene captives were not members of Fabius' *familia* and did not engender the same responsibility in Fabius. He may have felt some moral obligation toward men who had served under Flaminius, who had been Fabius' own *magister equitum* in 221, but he was under no weight of formal patronage or religious duty to initiate a ransom. His choice to do so was innovative, and marked a change in the involvement of generals afterwards. It is plausible that later commanders, seeing the benefits which Fabius accrued, took on the responsibility of becoming more personally invested in ransom procedures. After Fabius, hostages played a more significant role by which generals could promote their piety and benevolence.

Patronage and piety both found expression on the battlefield. Commanders provided a link between their soldiers and the gods; the more publicly a general demonstrated his faith, the more he could reassure his troops of divine favour – and ensure that his own reputation was enhanced by displays of piety. These displays hinged around the necessity of protection: the core responsibility of a general in wartime, and the core principle of patronage. As Crook notes, "*fides* on the part of the patron (that is directed at the client) is mostly associated with protection" (Crook 203). Fabius decided to ransom the captured Romans despite the fact that they had not been under his control when they were captured at the battle of Trasimene, and had no formal claim to his protection. Once he arranged to redeem them, though, Fabius had a patron's duties and responsibilities toward the hostages. *Fides* and piety both required him to fulfil his promise. On the client's side, the ransomed soldiers owed him a debt which *fides* required them to express with their loyalty and gratitude. It appears that the Senate never did reimburse Fabius, since we are told the soldiers themselves tried to pay him back. Plutarch tells us that after the hostages were freed, Fabius refused their offer to repay him: καὶ πολλῶν ἀποδιδόντων ὕστερον παρ᾽ οὐδενὸς ἔλαβεν, ἀλλ᾽ ἀφῆκε πᾶσι, ("many [of the hostages] later tried to repay him, but he would not accept payment from anyone, and instead discharged the debt for all") (Plut. *Vit. Fab*. 7.5). Refusing payment allowed Fabius to demonstrate his piety and his generosity, while maximizing the potential benefits he could reap from the hostages.[71] A ransomed citizen or ally could become a client, likewise the payment of debts could also incur a patronage relationship. To be in someone's debt, metaphorically or literally, was to create a clear hierarchical relationship. By not allowing the ransomed prisoners to repay him, Fabius gained rather more than the relatively small amount of silver of his initial outlay: he gained clients and reputation. Perhaps most significantly in the context of later history, he gained a new kind of loyalty from his troops. Once Fabius had established himself as a *de facto* patron to his soldiers (and refusing to accept repayment solidified that relationship), they owed him their individual allegiance in a way which anticipates the generals of the later republic.

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[70] "The obligation of an individual to ransom members of his *familia*, client or patron from the enemy had been established early as well and this was based upon the moral obligation imposed by religious custom (*ius sacrum*)" (Wickham 70).

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[71] Xenophontos argues that to Livy, Fabius' refusal of repayment is inconsequential ("Fabius' manner of withstanding the people's wrath is delineated with exclusively Plutarchan traits. His mildness and self-restraint (7.7) have no parallel in Livy. Nor is Plutarch's reference to Fabius' generosity with money treated with the same sort of interest by the Roman historian. He does mention that Fabius ordered his son to sell their family estates so as to use his personal resources for the exchange of captives (22.23.7-10). It is, nonetheless, not important either in Livy's treatment or in Valerius Maximus' (3.8.2, 4.8.1) that when the captives wanted to pay him back for their ransom, Fabius refused to take the money." (Xenophontos 168) I would argue that to Livy's audience, the Roman framework of patronage would have made the scene important for how it illustrates not only Fabius' generosity, but also the obligation incurred by the released hostages toward the dictator.

Part IV: Legacy

When Fabius made his decision, first to redeem the prisoners, and secondly, to pay their ransom from his own pocket, he was taking a calculated risk. We have seen how his refusal to engage Hannibal in open warfare outraged the army and the Roman people; we have likewise seen how his political rivals spread rumours that his delaying strategy was part of a secret alliance with the enemy. The short-term nature of the dictatorship meant that Fabius was under pressure to act swiftly and decisively. Not normally considered a risk-taker or a man of action, Fabius deserves greater credit for the speed with which he responded to his personal crisis. But did this gamble pay off? In this section, I examine the later career of Fabius. The actions he took during 217, particularly the ways in which he constructed his reputation with the army, provided a template which later generals would use to their own advantage.

The Later Career of Fabius

The dictatorship gave Fabius six months in which to plan for the consequences of his actions in the field. These consequences, whether expressed electorally or in terms of a family's long-lasting reputation, were well understood by Rome's elite politicians, and Fabius was better than many at crafting his legacy. His dictatorship had been a gamble, politically and militarily. When the time came for him to step down from office, he was able to claim that he had left Rome in a healthier place than he had found it. Hannibal's forces had been held off, and some modest victories had encouraged the Roman troops. Hannibal had not convinced the Italian allies to leave Rome and turn to Carthage en masse. The Delayer had stanched the bleeding. Fabius formally handed over control of the army at the end of his term, and the new consuls Atilius and Geminus Servilius continued his campaign using *Fabi artibus* ("Fabius' own tactics") (Liv. 22.32.2). This approach – harrying Hannibal, refusing to engage in open battle, and allowing the Carthaginians to suffer through attrition – shows recognition of how successful these tactics had been. The original unpopularity of the delaying strategy faded as it was proven effective, and his rescue of Minucius silenced his loudest opponent. Militarily, Fabius had validated his decisions, and his reputation through the ages would reflect that success. We have seen, though, that advancement in Rome could be impeded by political rivalries and personal mishaps. In order to confirm that achievements of his dictatorship translated into further political gain, we must delve into Fabius' later career.

Rivalry had long existed between Senatorial factions, with the Cornelii and Aemilii representing the chief opposition to the Fabians. We can therefore expect some of the criticism levelled at the dictator to result from political causes, particularly since his delaying strategy was proven so effective at containing Hannibal. To his contemporaries, his military skill was not always apparent. Le Bohec addresses the question of how good a general Fabius really was, and concludes that much of his talent lay in his wisdom in recognizing Hannibal's genius.[72] Fabius was above all a realist, which is clear in his assessment of his opponents, military and political. The second notable characteristic of Fabius as a leader is his remarkable care for his soldiers' lives, something which has attracted the attention of ancient and modern sources. After the rescue of Minucius and his half of the army, Livy tells us, everybody in Rome praised Fabius, and even the Carthaginians acknowledged his success, *pro se quisque Maximum laudibus ad caelum ferre. par gloria apud Hannibalem hostesque Poenos erat* ("everyone praised Maximus to the heavens; among Hannibal and the Punic enemy, he was equalled renowned") (22.30.7-8). The cementing of his reputation as a saviour figure after rescuing Minucius' troops owed much to timing: Fabius left the dictatorship on a wave of positive public sentiment. As Hoyos points out, it is possible that Minucius deserves greater credit, and likewise possible that Fabius had not anticipated Hannibal's ambush,[73] but with Minucius himself dead the next year at Cannae, Fabius' version of the rescue became the accepted account. The dictator, a consummate survivor, benefitted as much from his rivals' poor decisions as he did from his own sound ones.

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[72] "Il avait compris qu'Hannibal lui était supérieur comme tactician ; d'ou la ferme volonte d'eviter la bataille en rase campagne"

He understood that Hannibal was his superior as a tactician; hence his firm refusal to join battle in open country. (Le Bohec 183)

The reputation which Fabius gained for holding fast in the face of popular opinion eventually became a defining trait, as did his caution. To Seneca, Fabius is a man who had to conquer his anger before he could conquer Hannibal (Sen. *Ira* 1.11.5). Livy and Plutarch portray his character with complexity: a careful and deeply religious man with a fatherly regard for his troops, who is unafraid to stand against the Senate. Valerius Maximus holds him up as an example of generosity, putting him in the category *On Liberality* for his role in freeing the hostages and refusing to take repayment. The more we examine the cause and effects of the ransom, the more we see an intelligent and politically astute leader seizing every opportunity to increase his popularity in Rome and among his army, while he carried out his original plan of campaign against Hannibal.

Fabius' decisions in the field eventually brought him great popularity. He won the loyalty of his troops for his success, augmented by actions such as the ransom and the rescue of Minucius. Whether he was prompted more by altruism, by religious duty, or by political calculation, Fabius reaped the rewards of his actions. The proof is in his later career. After Cannae, he was twice more elected consul (*suffectus* in 215, then full consul in 214 and 209).[74] He was active in religious offices too, as pontifex and augur (from 216). His reputation was redeemed among the army also; Livy tells us specifically that it is not only the reports from the commanders themselves, but the word passed among the common soldiers that leads to the restoration of Fabius' reputation (22.30). Certainly, saving Minucius' half of the army from slaughter accounts for that, but the influence of smaller-scale actions such as selling his lands and redeeming the hostages should not be discounted. The care he took with the lives of his men was far from universal among Roman generals. In the ransom episode, we see Fabius courting the goodwill of his army above that of the Senate: an interesting choice for someone of his patrician background, and an indication that he recognized the critical importance of having the support of the soldiery. Coming as his command did between the twin disasters of Trasimene and Cannae, Fabius stands out all the more as an effective and well-respected commander.

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[73] cf. Hoyos 2015: 117-118. Hoyos also points out that authors such as Livy were working from earlier sources, including Fabius' own kinsman, Fabius Pictor. The Fabian clan had a clear interest in promoting the dictator's reputation.

[74] Fabius' son, also Quintus Fabius Maximus, also had an illustrious career. He served as *legatus* during his father's fifth consulship, and was himself elected consul in 213. After the Battle of Zama, the prominence of the Scipios seems to have eclipsed the Fabii, but the family continued to be an important one. They produced consuls, censors and augurs well into the early empire.

Ransom and Reward: The Bond Between Generals and Soldiers

By the Late Republic, the close ties between generals and their troops had fully developed into a reciprocal arrangement which linked the soldiers' fortunes to the career of their commander. The military reforms initiated by Gaius Marius from 107 onward ensured that, by waiving the traditional property qualifications for recruits, non-propertied soldiers became dependent on their commanders for their livelihood. Furthermore, their hope of reward depended on commanders who were also politicians, and liable to be removed from office at any election. The average soldier found himself with a vested interest in the personal fortune of his general. Roman soldiers always expected a share of the booty on successful campaigns, but this was a newly professional standing army rather than the older style of militia drawn from the propertied classes.[75] Relying on their leader for pay and pensions, the troops soon developed a relationship which saw their general as their de facto patron. The familiar reciprocal framework of patronage was interwoven with the military structure: the troops were expected to follow their general in war and support the general in his political ambitions. While this symbiotic arrangement reached its height in the Late Republic, we can see the seeds of it beginning to emerge during the Punic Wars. The Trasimene ransom set a precedent by which commanders could use their treatment of hostages to broadcast their values. Later generals were quick to recognize the success of Fabius' self-promotion and the close ties of personal loyalty he created with the troops he saved.

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[75] For the increasing professionalism of the Roman army prior to Marius' reforms, see McDermott: 1970.

Hostage-taking was familiar throughout the ancient world, but Fabius set a precedent for how a commander might benefit from the strategic use of such captives. There are many cases after Fabius, perhaps most notably that of Scipio Africanus and his paternal treatment of Spanish prisoners in 211, where the Romans clearly prided themselves on treating hostages honourably.[76] Scipio used his generosity toward his hostages as a military tactic. By treating his Spanish captives well, and then restoring them to their families, he weakened Hannibal's hold among the Spanish communities and strengthened Rome's reputation. Allen, writing on hostages in the Greco-Roman world, notes that, "the mistreatment of hostages, like mistreatment of guests, was a cause for shame for the civilized and an expected characteristic of the barbaric" (Allen 2006:90). It would be a mistake, however, to pass over the extreme precarity of any captive in the ancient world. The treatment of hostages was largely dependent on the will of their captors. Unlike elite hostages from allied states who were brought to Rome, often at a young age, treated well and educated among Roman peers in a program of assimilation, prisoners of war had far fewer hopes of benign treatment. Hannibal divided his Roman captives from those of Latin or Italian status, with their citizenship determining their treatment and ultimately whether they regained their freedom. Romans likewise sorted their prisoners of war to make use of them depending on their status. Polybius addresses this division when he has Scipio making a sharp distinction between the Spanish captives he has taken from the Carthaginians. Scipio notes that the women, relatives of a chieftain taken as surety for his good behaviour, οὐχ ὁμήρων ἐχούσας διάθεσιν, ἀλλ᾽ αἰχμαλώτων καὶ δούλων ("hold the rank not of hostages, but of prisoners of war and slaves") (Polyb.10.38.1). The distinction is clear between the ὁμήρων ("hostages"), who could presumably expect honourable treatment, and the αἰχμαλώτων ("prisoners of war"), who do not have any expectation – however tenuous – of the protection of a sanctified guest-host relationship. Scipio would subsequently extend his protection to the Spanish women, restoring them to their families, and even dowering one for her wedding, but it is clear that this generosity was at his discretion. There were different categories of hostage, categories which were fluid, and protection was not guaranteed for any of them.

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[76] Polyb. 10.38.1-3, Liv. 26.49-4. Scipio is portrayed as a surrogate father figure to these hostages, which provides an interesting comparison to how Fabius will be hailed as *parens* and *sancte genitor* by the soldiers he rescues (see section 4.1 for further discussion). For an extended study of the metaphor of hostages as sons, and how Livy and Valerius Maximus extended the motif beyond Polybius, see Allen 2006:126-148.

The good treatment of hostages provided commanders with an opportunity to demonstrate their good faith and win popularity. Such popularity could have useful results among the troops, in the case of Fabius freeing Roman prisoners of war, or create new allies, in the case of Scipio freeing enemy hostages. It was valuable precisely because it went above and beyond the treatment which hostages could normally expect. Allen argues that previous scholars have too generally applied the concept of divine protection to hostages. He notes the appearance of hostages in stories intended to drive home examples of Roman virtue, "Order in both religion and family life, an important concept in Roman thought, is articulated in part in these stories through proper respect for hostages' dignity" (Allen 93). Allen points out, however, that respectful treatment of hostages could increase the reputation of a commander, but this does not mean that the hostages themselves were sacrosanct. There was no particular religious protection afforded to common prisoners of war. While the question of whether high-status hostages were sacrosanct is beyond the scope of this thesis, it seems clear from the accounts of Polybius and Livy that prisoners of war, at least, could expect no such protection. The famous case of

Scipio freeing his Spanish captives is, as discussed above, an *exemplum* of generosity and courtesy, noteworthy by its rarity. Fabius, like Scipio after him, is an exception that proves the rule.

Fabius' innovation lay in recognizing that the benefits to ransoming hostages went far beyond the financial. Furthermore, because he paid the ransom personally, those benefits accrued to him personally. The identity of the hostages determined the type of advantage to their redeemers. Fabius freed Roman soldiers who, disgraced by capture, could not expect their state to intercede for them. With that link to their home community strained, the freed soldiers turned their gratitude and loyalty to the man who had ransomed them. The commanders who succeeded him were not slow to recognize the potential benefits of amassing such loyalty.

Conclusion

The legacy of Fabius, appropriately for the "Shield of Rome," was the breathing-space he gave his country during one of its worst crises. His care for his city and for the lives of his men is evident in the accounts we have of him. His careful curation of his own image, and the lengths he went to preserve it, however, helped to pave the way for a more ominous legacy. By recognizing the value of the army's approval, and courting it through ransom and rescue, Fabius set a precedent that would be followed by other, less scrupulous generals. Popular approval was equally valuable in order to secure the public offices and military commands which ensured long-lasting prestige. In his choice to defy the Senate and court popular approval among his army and the citizens of Rome, we see a careful decision made by a man who knew how best to promote himself.

Fabius' delaying tactics are well-known, but his strategy would not have succeeded without his careful manipulation of other events during his dictatorship to allow him to stay in power. Within a very short time frame, he saw his reputation under attack and faced a near-mutiny in his army. The effectiveness of his opponents' attacks on his character are proof of how important reputation was to a Roman politician and commander, and how devastating their impact could be a career. Fabius deserves credit for his political acumen and the speed with which he acted to neutralize his political rivals and turn the situation to his advantage. Far from simply an altruistic leader content to let his reputation rest on acts of selflessness, a closer look at Fabius in 217 sees a commander who wields his generosity like a weapon, thoroughly aware of the performative nature of Roman command.

Given the short-term nature of the dictatorship and the scope of the crisis facing Rome, Fabius had a narrow window in which to exercise his new command and seal his reputation. His experience as an elite politician of long standing ensured that he recognized how entwined his own career was with the campaign. Facing a daunting military campaign and with political rivals seeking any opportunity to topple him, Fabius, a true Roman aristocrat, was never unaware of the consequences to his own career. He began with a grand public display of piety. Every opportunity was taken to distinguish himself as man who, unlike the previous commander, could be trusted to honour the gods. This piety was intended to reassure the people. From the very beginning of his tenure as dictator, he courted popular opinion. The risk was in the unpopularity of his delaying strategy, which would be hard to overstate. Italy was burning. His soldiers were wild to attack Hannibal's forces. Rome was frantic with anxiety. With the enemy within striking distance of Rome itself, Fabius held to his plan. The Senate entrusted Fabius with the power to do what he deemed necessary to save Rome as the Roman focus contracted from saving Italy to defending Rome itself. He knew that his delaying strategy was essential, even as it gave his enemies fodder for attack. The more closely we examine the pressures facing Fabius, the more apparent it becomes that he urgently needed to salvage his reputation. The Senate was one matter – Fabius could expect both allies and enemies in the curia – but if he was to succeed in his dictatorship, he needed to placate the army and the Roman people. The ransom, together with his rescue of Minucius' troops, gave him the chance. He seized it with both hands.

The story of the ransom presents the character of Fabius in all of what Langlands calls "its inherent and ethically productive complexity" (Langlands Ch 13). With a gesture, he was able to position himself a saviour figure to his army and to Rome. A master at turning a difficult situation to his advantage, Fabius recognized the personal benefits of negotiating a large-scale ransom of Roman prisoners. The tension between the Senate and Fabius, however, complicated the procedure. Declining to pay was an easy way for the Senate to embarrass Fabius. The rumours of a secret pact between Hannibal and Fabius are evidence of how quickly Fabius' enemies seized on any chance to malign the dictator. The *ius gentium*, or broad understanding of legal and moral principles common to Rome and other states, allowed for ransoms to be privately negotiated within a shared framework. The negotiation between Hannibal and Fabius should not have raised the suspicions it did: the two commanders were empowered to act on behalf of their respective states, and the dictator's power was nearly absolute. What was different in the case of the Trasimene hostages? The identity of the prisoners and the public funds requested for their release. The Senate had never funded the mass release of prisoners of war. Seen through the Senate's eyes, ransoming the Trasimene captives would bring minimal benefit to Rome. Roman soldiers taken captive, in fact, were viewed with the greatest suspicion as potential cowards and traitors. The low status of the hostages and the fact that Fabius initially committed public funds for their release, together with the lack of clear precedent for the Senate's involvement, took the ransom into new territory. The cloud of suspicion surrounding the exchange speaks to how quickly Roman politicians capitalized on any new procedure that could boost their own reputations, or be used to denounce their enemies.

Ransom was often an uncertain procedure, and prisoners of war were among the most vulnerable of hostages. By undertaking to free them personally, Fabius was drawing on existing social systems, particularly patronage, to ensure that he received the full benefit of gratitude and loyalty from the rescued troops and their families. His rescue of Minucius and his half of the army shows a similar pattern of concern for the vulnerable and action intended to maximize his own prestige. Through rescuing his co-commander, Fabius re-established his *imperium* over the whole army, and gained the soldiers' trust, both vital components of restoring his reputation. When Minucius calls Fabius *pater*, he is using the language of patronage to convey his respect and gratitude. The Roman people, receiving word of the victory not only from Fabius and Minucius, but from the average soldiers in the army, are quick to praise Fabius *ad caelum* ("to the skies") (Liv. 22.30.8). It is the word of the common soldiers that seems to bear most weight with the Roman crowds, again showing the importance of courting the army's approval.

To generations of future Romans, Quintus Fabius Maximus Verrucosus Cunctator would become an *exemplum* of steadfastness and high character in the face of dissent. He would refuse most of the honours (though not the political offices) a grateful Rome tried to present to him. Long after his dictatorship of 217, Rome turned back to him again and again for guidance, trusting in his experience and his good reputation. Perhaps it is fitting to conclude with a line spoken by Fabius in Silius Italica's *Punica* to his contrite Master of Horse Minucius, whose army he has just saved:

> *sed Fabio sit vos servasse triumphus* ("Let your rescue be Fabius' triumph") (Sil. *Pun*. VII.398)

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Appendix: Timeline

217 BCE	
June	Battle of Lake Trasimene
	Fabius appointed Dictator, Minucius appointed his Master of Horse
	Fabius begins by making huge sacrifices, opens debate in Senate about number of forces needed
	Two fresh legions raised. Fabius evacuates civilians in Hannibal's path and institutes scorched earth policy
	Takes over consular army and meets up with newly recruited legions
	Fabius encamps within sight of Hannibal, builds up troops' confidence with skirmishes but keeps main force in fortifications
	Hannibal attacks Roman colony, Fabius does not engage, Minucius incites army
	Delaying continues all summer, Fabius' unpopularity grows, army on brink of mutiny; Hannibal spares Fabius' land, causing rumours of a secret pact
	Fabius tries to trap Hannibal in mountain pass; Hannibal escapes by ox trick
	Fabius recalled to Rome for religious reasons, tells Minucius not to engage Hannibal
	Fabius and Hannibal exchange hostages; Fabius owes Hannibal the ransom price. Senate holds numerous debates, refuses to send payment. Fabius sells land to complete the ransom[77]
	Minucius narrowly wins a minor skirmish; Rome rejoices, Fabius still unpopular by contrast
	Minucius given co-imperium; army divided between Minucius and Fabius
	Minucius engages Hannibal rashly; Fabius saves him and his army, Minucius hands back command to Fabius
December	Fabius' dictatorship ends, new consuls elected

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[77] This timeline is based on Livy's account, which does not always stand up to close scrutiny. Livy writes that Fabius sent his son to Rome to sell his land (22.23.4-7; this seems to contradict his assertion that Fabius himself was still in Rome at the time (24.1.1-2). If Hannibal disposed of his hostages all at the same time, he may have arranged the ransom with Fabius at roughly the same time as he freed his Italian captives, which Livy writes happened soon after Trasimene. More likely, however, several months had passed in order for Hannibal to identify and keep safe Fabius' estate, and for Fabius himself to be at such a point of unpopularity as to make the ransom an appealing endeavour.